

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Polar Communications Mutual Aid Corporation  
vs. Qwest Corporation & Information Technology  
Department  
Complaint**

**Case No. PU-09-111**

**AFFIDAVIT OF SERVICE CERTIFIED AND REGULAR MAIL**

STATE OF NORTH DAKOTA  
COUNTY OF BURLEIGH

**Janet Marquart** deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **4<sup>th</sup>** day of **December, 2009**, she deposited in the United States Mail, at Bismarck, North Dakota, **four** envelopes with certified postage, return receipt requested, fully prepaid, securely sealed and containing photocopy of:

**Order of Dismissal**

The envelopes were addressed as follows:

Kari R. Reichert  
Vogel Law Firm  
PO Box 2097  
Bismarck ND 58502-2097

Jason D. Topp, Corporate Counsel  
Qwest Corporation  
200 S 5<sup>th</sup> St, Room 220  
Minneapolis MN 55402

**Cert. No. 7008 2810 0000 4606 4862**

**Cert. No. 7008 2810 0000 4606 4916**

John Morrison, Attorney for Qwest Corp  
Crowley Fleck PLLP  
PO Box 2798  
Bismarck ND 58502-2798

Douglas Bahr, Solicitor General  
Office of the Attorney General  
600 E Boulevard Ave, Dept125  
Bismarck ND 58505-0040

**Cert. No. 7009 1680 0001 2689 0544**

**Cert. No. 7009 1680 0001 2689 0551**

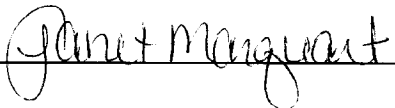
**Janet Marquart** further deposes and says that on the **4<sup>th</sup>** day of **December, 2009**, she deposited in the United States Mail, Bismarck, North Dakota, **two** envelopes by regular mail, with postage fully prepaid, securely sealed, each containing a photocopy of the same.


Kent Blickensderfer, State VP for ND  
Qwest Corporation  
220 N 5<sup>th</sup> St  
Bismarck ND 58501

Lisa Feldner, CIO  
State of ND Information Technology Dept  
600 E Boulevard Ave, Dept 112  
Bismarck ND 58501-0100

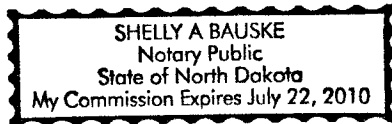
Each address shown is the respective addressee's last reasonably ascertainable mailing address.

Subscribed and sworn to before me  
this 4<sup>th</sup> day of **December, 2009**.

  
\_\_\_\_\_

  
\_\_\_\_\_  
Notary Public

SEAL



STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Polar Communications Mutual Aid Corporation  
vs. Qwest Corporation & Information Technology  
Department  
Complaint

Case No. PU-09-111

ORDER OF DISMISSAL

November 25, 2009

On March 18, 2009, Polar Communications Mutual Aid Corporation (Polar) filed a complaint with the North Dakota Public Service Commission (Commission) alleging that Qwest Corporation (Qwest) was allowing the State of North Dakota - Information Technology Department (ITD) to originate toll calls from outside of the Qwest Grafton Exchange to be terminated as Extended Area Service (EAS) traffic to the Polar Exchange Areas via established EAS trunks, thereby avoiding payment to Polar of intrastate access charges attributable to a toll call. EAS is a service by which a subscriber of one exchange may call a subscriber in another exchange without paying a toll fee or separate charge for the call.

On June 11, August 7, and September 8, 2009, parties were granted continuance to discuss settlement of the matter.

On July 21, 2009, Polar and ITD filed a Stipulation of Dismissal agreeing that pleadings against ITD are dismissed with prejudice and without costs, disbursements, or attorneys' fees to any party.

On October 28, 2009, Polar and Qwest filed a Stipulation of Dismissal agreeing that pleadings against Qwest are dismissed without prejudice and without costs, disbursements, or attorneys' fees to any party.

ORDER

The Commission orders that the matter be dismissed as provided in the July 21, 2009 Stipulation of Dismissal entered into by Polar and ITD, and as provided in the October 28, 2009 Stipulation of Dismissal entered into by Polar and Qwest.

PUBLIC SERVICE COMMISSION

  
Tony Clark  
Commissioner

  
Kevin Cramer  
Chairman

  
Brian P. Kalk  
Commissioner