

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

North Dakota Telephone Company/Midcontinent  
Communications  
Interconnection Agreement Amendment  
Application

Case No. PU-09-304

**NOTICE OF OPPORTUNITY FOR COMMENT**

**June 24, 2009**

On July 26, 2006, North Dakota Telephone Company (NDTC) entered into an interconnection agreement with Midcontinent Communications (Midcontinent) pursuant to Section 251 of the Telecommunications Act of 1996 (Act). The agreement set forth terms and conditions under which NDTC provides wholesale services for resale by Midcontinent, Case No. 05-451.

On March 31, 2008, the companies amended the July 26, 2006 wholesale resale agreement and included the provision of extended area service interconnection (EAS), Case No. 08-578.

On June 12, 2009, Midcontinent filed a petition for approval of further amendments, which add the provision of the interconnection services in the Harvey exchange.

This amendment was filed under Section 252(e) of the Telecommunications Act of 1996. The Act requires that any agreement adopted by negotiation or arbitration be submitted for approval to the Commission. Under 47 U.S.C. § 252(e)(2)(A), the Commission may only reject an agreement adopted by negotiation (or a portion of the agreement) if it finds that:

1. the agreement discriminates against a telecommunications carrier that was not a party to the agreement; or
2. implementation of the agreement is not consistent with the public interest, convenience, and necessity.

In addition, under 47 U.S.C. Section 253 the Commission may include in its review state requirements that do not constitute barriers to entry.

**The Commission will receive written comments on this agreement until July 31, 2009.**

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials please notify Darrell Nitschke, Executive Director.

**PUBLIC SERVICE COMMISSION**

  
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Tony Clark  
Commissioner

  
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Kevin Cramer  
President

  
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Brian P. Kalk  
Commissioner