

STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

North Dakota Telephone Company /  
Midcontinent Communications  
Interconnection Agreement Amendment  
Application

Case No. PU-09-304

**AFFIDAVIT OF SERVICE REGULAR OR ELECTRONIC 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 **29<sup>th</sup>** day of **June, 2009**, she deposited in the United States Mail, Bismarck, North Dakota, **12** envelopes by first class mail, fully prepaid, all securely sealed and each containing a photocopy, and **278** addressees electronically mailed a copy of:

**Notice of Opportunity for Comment**

The envelopes and electronic mails respectively were addressed as follows:

See attached list.

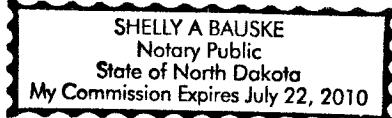
Each post office address shown is the respective addressee's last reasonably ascertainable post office address and each email address is the respective addressee's last reasonably ascertainable electronic mailing address.

Janet Marquart

Shelly A Bauske

Notary Public

SEAL



STATE OF NORTH DAKOTA  
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**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.

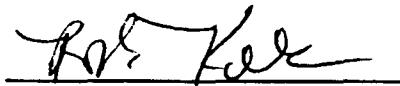
**The Commission will receive written comments on this agreement until July 31, 2009.**

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**

  
Tony Clark  
Commissioner

  
Kevin Cramer  
President

  
Brian P. Kalk  
Commissioner