

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 BY CERTIFIED & 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 **29th** day of **June, 2009**, she deposited in the United States Mail, at Bismarck, North Dakota, **two** envelopes with certified postage, return receipt requested, fully prepaid, securely sealed and each containing a photocopy of:

Notice of Opportunity for Comment

The envelopes were addressed as follows:

Mr. Patrick W. Durick
Attorney for Midcontinent Communications
Pearce & Durick
314 E Thayer Avenue
PO Box 400
Bismarck ND 58502-0400

Mr. Dave Dircks
General Manager
North Dakota Telephone Company
211 22nd St NW
PO Box 180
Devils Lake ND 58301

Cert. No. 7008 2810 0000 4606 5081

Cert. No. 7008 2810 0000 4606 5098

Janet Marquart further deposes and says that on the **29th** day of **June, 2009**, she deposited in the United States Mail, Bismarck, North Dakota, **three** envelopes by regular mail, with postage fully prepaid, securely sealed, each containing a photocopy of the same:

Mr. Don Negaard
Pringle & Herigstad, PC
PO Box 1000
Minot, ND 58702-1000

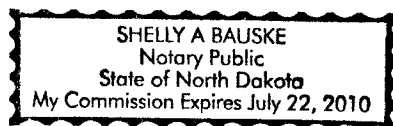
Ms. Mary Lohnes, Regulatory Affairs Mgr.
Midcontinent Communications
3901 N Louise Avenue
Sioux Falls SD 57107

Mr. J. G. Harrington
Dow Lohnes
1200 New Hampshire Ave NW, Ste 800
Washington DC 20036

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

Subscribed and sworn to before me
this 29th day of **June, 2009**.

SEAL



Gnet Marguaret

Shelly A Bauske
Notary Public

**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:

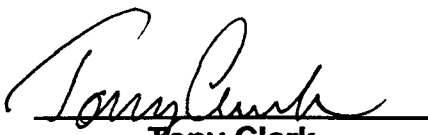
1. the agreement discriminates against a telecommunications carrier that was not a party to the agreement; or
2. implementation of the agreement is not consistent with the public interest, convenience, and necessity.

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.

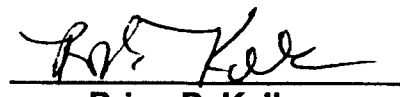
The Commission will receive written comments on this agreement until July 31, 2009.

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.

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