

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**United Telephone / Midcontinent Communications
Interconnection Agreement
Application**

Case No. PU-09-723

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 **28th** day of **January, 2010**, she deposited in the United States Mail, at Bismarck, North Dakota, **one** envelope with certified postage, return receipt requested, fully prepaid, securely sealed and containing photocopy of:

Order on Interconnection Agreement

The envelopes were addressed as follows:

Mr. Charles Richoz, Mgr. Business
Development
On Behalf of United Telephone Mutual Aid
Corporation
John Staurulakis Incorporated
7852 Walker Drive, Ste 200
Greenbelt MD 20770

J.G. Harrington
Dow Lohnes PLLC
for Midcontinent Communications
1200 New Hampshire Ave NW, Ste 800
Washington DC 20036

Cert. No. 7009 1680 0001 2689 0773

Cert. No. 7009 1680 0001 2689 0766

Janet Marquart further deposes and says that on the **28th** day of **January, 2010**, she deposited in the United States Mail, Bismarck, North Dakota, **four** envelopes by regular mail, with postage fully prepaid, securely sealed, each containing a photocopy of the same.

Mr. Don Negaard
Pringle & Herigstad
Attorney for United Telephone
2525 Elk Drive
PO Box 1000
Minot ND 58702-1000

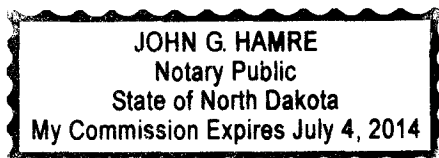
Ms. Mary Lohnes
Midcontinent Communications
5001 W 41st Street
Sioux Falls SD 57106

Mr. Perry Oster
United Telephone Mutual Aid Corporation
411 7th St
PO Box 729
Langdon ND 58249-0729

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

Subscribed and sworn to before me
this 28th day of **January, 2010**.

SEAL



Janet Maiguait

John G. Hamre

Notary Public

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

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ORDER ON INTERCONNECTION AGREEMENT

January 27, 2010

On December 2, 2009, Midcontinent Communications (Midcontinent) filed a petition for approval of an interconnection agreement with United Telephone Mutual Aid Corporation (United Telephone). The agreement sets forth rates, terms, and conditions under which United Telephone will provide interconnection services, local number portability, ancillary services, and wholesale services for resale to Midcontinent.

This agreement was filed under Section 252(e) of the Telecommunications Act of 1996 (Act). 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.

Section 252(e)(4) requires that the Commission act to approve or reject an agreement adopted by negotiation within ninety (90) days after submission by the parties.

On December 10, 2009, the Commission issued a Notice of Opportunity for Comment, which provided that the Commission would receive written comments on the agreement until January 25, 2010. No comments were received.

The Commission has reviewed the agreement and finds that it has not been shown to discriminate against a telecommunications carrier that was not a party to the agreement. The Commission further finds that implementation of the agreement has not been shown to be inconsistent with the public interest, convenience and necessity.

Order

The Commission orders:

1. The interconnection agreement negotiated between United Telephone Mutual Aid Corporation and filed with the Commission on December 2, 2009, is APPROVED.
2. The Commission retains continuing jurisdiction over the agreement at all times.
3. Notice of any changes to the agreement must be filed promptly with the Commission.
4. The agreement must not be assigned, assumed or otherwise transferred without the approval of the Commission.
5. Each party to the agreement shall respond reasonably and in good faith to the other party's requests to implement the agreement.

PUBLIC SERVICE COMMISSION



Tony Clark
Commissioner



Kevin Cramer
Chairman



Brian P. Kalk
Commissioner