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From: DeSaye, Cara G.
Sent: Friday, June 18, 2010 11:28 AM
Subject: ND Public Service Commission Notice of Hearing
Attachments: 003-010.pdf

Attached for your information is the Notice of Hearing in:

Case No. PU-10-157
Turtle Mountain Communications, Inc. / Midcontinent Communications
Rural Exemption
Investigation

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**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Midcontinent Communications/Turtle Mountain
Communications, Inc.
Rural Exemption
Investigation**

Case No. PU-10-157

NOTICE OF HEARING

June 16, 2010

On May 12, 2010, Midcontinent Communications (Midcontinent) filed notice with the Commission that Midcontinent had by letters dated April 16, 2010 and April 23, 2010 made bona fide requests under 47 U.S.C. § 251(c) for wholesale resale of telecommunications services for the Willow City, Dunseith and Bisbee, North Dakota exchanges from Turtle Mountain Communications, Inc. (Turtle Mountain).

Under 47 U.S.C. § 251(f)(1)(A) a rural telephone company is exempt from the requirements of Section 251(c) until it receives a bona fide request and until the state commission determines that the exemption should be terminated.

Midcontinent requests that the Commission conduct an inquiry for the purpose of determining whether to terminate the Turtle Mountain's 47 U.S.C. § 251(f)(1)(A) exemption from providing its services for resale.

Under 47 U.S.C. § 251(f) the Commission must conduct an inquiry and within 120 days after receiving notice of a bona fide request, must decide whether to terminate the exemption.

A public hearing has been scheduled for August 4, 2010 at 9 a.m. (CST) in the Commission Hearing Room, 12th Floor, State Capitol, Bismarck, North Dakota.

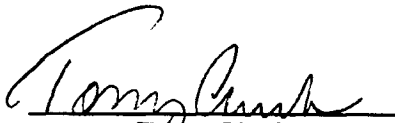
The issues to be considered in this matter are:

1. Whether the request of Midcontinent is unduly economically burdensome.
2. Whether the request of Midcontinent is technically feasible.
3. Whether the request of Midcontinent is consistent with 47 U.S.C. § 254 (other than subsections (b)(7) and (c)(1)(D) thereof).
4. The implementation schedule for compliance with the request should the exemption be terminated.
5. If Turtle Mountain's exemption under 47 U.S.C. § 251(f)(1)(A) is terminated, whether the exemption is to be terminated for the whole company.

6. If Turtle Mountain's exemption under 47 U.S.C. § 251(f)(1)(A) is terminated, whether the exemption is to be terminated for all services required under 47 U.S.C. § 251(c).

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400 or 877-245-6685; 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 contact the Commission at least 24 hours in advance.

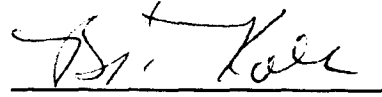
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