



Public Service Commission
State of North Dakota

COMMISSIONERS

Kevin Cramer
Tony Clark
Brian P. Kalk

Executive Secretary
Darrell Nitschke

Mr. Allen C. Hoberg
Office of Administrative Hearings
2911 North 14th Street – Suite 303
Bismarck, ND 58503

Re: Case No. PU-11-86
New Cingular Wireless PCS, LLC
Designated Eligible Carrier - Application

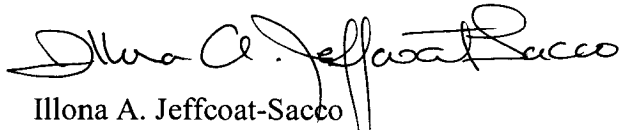
Dear Mr. Hoberg:

Enclosed is a request for an Administrative Law Judge in the captioned case. An informal hearing on this matter has been scheduled for 22 June 2011 at 1:30 p.m. CDT in the Commission Hearing Room on the 12th floor of the State Capitol in Bismarck. The Notice of Informal Hearing is attached.

This request is not made to request an ALJ for the informal hearing. Rather, the request is made so that the ALJ may rule on the attached Motion for Admission of Non-Resident Attorney and supporting documents.

If you have any questions, please contact me. Thank you.

Best regards,



Illona A. Jeffcoat-Sacco
General Counsel

enclosures

c/w enclosures
Thomas Kelsch

600 E. Boulevard Ave. Dept 408
Bismarck, North Dakota 58505-0480
Web: www.nd.gov/psc
E-mail: ndpsc@nd.gov
Phone 701-328-2400
Toll Free 1-877-245-6685
Fax 701-328-2410
TDD 800-366-6888 or 711

21 June 2011



REQUEST FOR ADMINISTRATIVE LAW JUDGE--APPEAL, APPLICATION, OR PETITION
 NORTH DAKOTA OFFICE OF ADMINISTRATIVE HEARINGS
 SFN 17819 (Rev. 03-2001)

Name of Agency, Board, or Commission
 North Dakota Public Service Commission

The above named agency, board, or commission requests designation of an administrative law judge from the Office of Administrative Hearings for the New Cingular Wireless PCS, LLC - Designated Eligible Carrier Application - Case No. PU-11-86

(e.g., application of [name], appeal of [name], petition of [name]). Authority for the administrative action is found in North Dakota Century Code Section 49-21-01 .7(12) (North Dakota Century Code and/or North Dakota Administrative Code).

Please attach related documents and correspondence.

The administrative action is more fully described as follows:
 This request is being made now so that the ALJ may rule on the attached Motion of Betsy S. Granger for Admission of Non-Resident Attorney to Participate.

It requests designation of an administrative law judge (please check one):

- To conduct the hearing and issue recommended findings of fact, conclusions of law, and order.
- To serve as a procedural administrative law judge only (no recommended decision). The agency head will be present at the hearing as required by NDCC 54-57-04(6).
- To conduct the hearing, issue findings of fact, conclusions of law, and a final order.

PLEASE MAKE A REQUEST FOR AN ADMINISTRATIVE LAW JUDGE AT LEAST ONE MONTH BEFORE THE HEARING.

Please list parties, including the agency if it is a Party, and Representation [attorney (or other)] if known, or Agency Contact: (Attach separate list if necessary.)

AGENCY North Dakota Public Service Commission	Address 600 E. Blvd. Ave. Dept. 408 Bismarck, ND 58505	Telephone Number 701-328-2400
Representation Illoan A. Jeffcoat-Sacco	Address Same as above	Telephone Number 701-328-2407
PARTY Cingular Wireless PCS, LLC	Address	Telephone Number
Representation Thomas D. Kelsch	Address P.O. Box 1266, Mandan, ND 58554-7266	Telephone Number 701-663-9818
PARTY	Address	Telephone Number
Representation	Address	Telephone Number

Additional Comments
 An informal hearing on this matter has been scheduled for 22 June 2011 at 1:30 p.m. CDT in the Commission Hearing Room on the 12th floor of the State Capitol in Bismarck.

(For agencies required to use OAH, notice of hearing will be issued by the administrative law judge, unless a procedural administrative law judge is requested. Other requesting agencies and agencies requesting a procedural administrative law judge should first contact OAH about scheduling a hearing. If notice has already been issued, attach a copy of the notice.)

Typed or Printed Name and Title of Requesting Person Illoan A. Jeffcoat-Sacco, General Counsel	Date 21 June 2011
Signature of Requesting Person x	Telephone Number 701-328-2407

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

New Cingular Wireless PCS, LLC
Designated Eligible Carrier
Application

Case No. PU-11-86

NOTICE OF OPPORTUNITY FOR HEARING AND
NOTICE OF INFORMAL HEARING

April 20, 2011

On March 23, 2011 New Cingular Wireless PCS, LLC (New Cingular), a subsidiary of AT&T Mobility LLC, filed an Application for Designation as an Eligible Telecommunications Carrier (ETC) for the purpose of receiving federal universal service support in North Dakota. New Cingular is a Delaware limited liability company whose principal place of business is located in Atlanta, Georgia. New Cingular has acquired certain licenses and assets that Verizon Wireless held to serve portions of North Dakota. New Cingular proposes to provide universal services as a commercial mobile radio service carrier in much of the same service area previously designated to Western Wireless Corporation and WWC Holding Co., Inc.

The issues to be considered in this matter are:


1. Qualification of the applicant under the Telecommunications Act of 1996, Section 214(e) for designation as an ETC eligible to receive federal universal service funding.
2. What ETC universal service support area should be designated.
3. The public Interest.

Those interested are invited to comment on the application in writing. Persons desiring a hearing must file a written request identifying their interest in the proceeding and the reasons for requesting a hearing. **Comments and requests for hearings must be received by June 3, 2011.** If deemed appropriate, the Commission can determine the matter without a formal hearing.

An **informal hearing** on this matter has been scheduled for **June 22, 2011 at 1:30 p.m. CDT** in the **Commission Hearing Room on the 12th Floor of the State Capitol in Bismarck.**

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 Secretary.

PUBLIC SERVICE COMMISSION



Kevin Cramer
Commissioner



Tony Clark
Chairman



Brian P. Kalk
Commissioner

Kelsch Kelsch Ruff & Kranda

C.F. Kelsch
1890-1987

Attorneys at Law
Mandan, North Dakota

William C. Kelsch
Retired

THOMAS F. KELSCH
ARLEN M. RUFF, P.C.
THOMAS D. KELSCH, P.C.
TODD D. KRANDA, P.C.*
WILLIAM J. DELMORE
DANIEL NAGLE, P.C.
GARRETT D. LUDWIG*

 MERITAS LAW FIRMS WORLDWIDE

103 Collins Avenue
P.O. Box 1266
Mandan, ND 58554-7266
Phone (701) 663-9818
1-888-663-9818
Fax (701) 663-9810
Website www.kelschlaw.com

*Also Licensed in Minnesota

June 17, 2011

RECEIVED

JUN 17 2011

PUBLIC SERVICE COMMISSION

DARRELL NITSCHKE
EXECUTIVE SECRETARY & DIRECTOR
PUBLIC SERVICE COMMISSION
600 EAST BOULEVARD, DEPT 408
BISMARCK ND 58505-0480

RE: In the Matter of the Application for NEW CINGULAR WIRELESS PCS, LLC for Designation
as an Eligible Telecommunications Carrier
Docket No. PU-11-086
Our File No. 14048

Dear Mr. Nitschke:

Enclosed for filing is an original and seven copies of the following:

1. Motion for Admission of Non-Resident Attorney to Participate;
2. Affidavit of Betsy S Granger in Support of Pro Hac Vice/Appearance of Non-Resident Attorney;
3. Affidavit of Thomas D. Kelsch in Support of Pro Hac Vice/Appearance by Non-Resident Attorney;
4. Proposed Order - Pro Hac Vice/Appearance by Non-Resident Attorney; and
5. Affidavit of Service

For your convenience, an electronic copy has also been sent to dnitschk@nd.gov.

If you have any questions, please feel free to contact me.

Sincerely,


Thomas D. Kelsch

TDK:ls

Encs

c: Betsy S. Granger

13 PU-11-86 Filed: 6/17/2011 Pages: 8
Motion for Admission Pro Hac Vice and supporting documents

New Cingular Wireless PCS, LLC

Thomas D. Kelsch



BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NORTH DAKOTA

In the Matter of the Application for NEW)
CINGULAR WIRELESS PCS, LLC for)
Designation as an Eligible)
Telecommunications Carrier)

Docket No. PU-11-086

MOTION FOR ADMISSION OF NON-RESIDENT ATTORNEY TO PARTICIPATE

The undersigned attorney of record in the above-caption matter moves the Court, pursuant to North Dakota Rule 3 of Admission to Practice and Rule 3 of the Rules of Court, and based on the Affidavits attached hereto, to grant Betsy S. Granger, an attorney of good standing in the State of California, permission to appear before the Court on behalf of AT&T Mobility, LLC, and practice before the Court in the above-entitled matter.

Dated this 17 day of June, 2011.



THOMAS D. KELSCH
State Bar ID No. 03918
KELSCH, KELSCH, RUFF & KRANDA
Attorneys for
103 Collins Avenue, P.O. Box 1266
Mandan, North Dakota 58554-7266
(701) 663-9818

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NORTH DAKOTA

In the Matter of the Application for NEW)
CINGULAR WIRELESS PCS, LLC for)
Designation as an Eligible) Docket No. PU-11-086
Telecommunications Carrier)

**AFFIDAVIT OF BETSY S. GRANGER IN SUPPORT OF
PRO HAC VICE/APPEARANCE OF NON-RESIDENT ATTORNEY**

STATE OF CALIFORNIA)
COUNTY OF San Francisco)ss.
)

I, Betsy S. Granger, being first duly sworn on oath, states as follows:

1. My name and post office address is Betsy S. Granger, 525 Market Street, San Francisco, California 94105.
2. I am an attorney duly licensed in California and I am a member in good standing of the California State Bar Association (Bar #124806).
3. I have not been subject to disciplinary action by the Bar or the Courts of North Dakota nor any other state.
5. I am familiar with the rules of the State Bar of North Dakota governing the conduct of the members of the State Bar and will, at all times, abide by and comply with the same so long as the above-entitled matter is pending and I have not withdrawn as counsel herein.
6. I request admission to practice in the District Court of North Dakota for the purpose of participating in the above-entitled matter.

FURTHER AFFIANT SAYETH NOT.

Dated this 4th day of June, 2011.


Betsy S. Granger

BETSY S. GRANGER
California State Bar ID No. 124806
AT&T Services, Inc.
525 Market Street
San Francisco, CA 94105
(415) 778-1335

STATE OF CALIFORNIA)
COUNTY OF SAN FRANCISCO) ss.
)

The foregoing instrument was acknowledged before me this 9th day of June, 2011 by Betsy S. Granger.



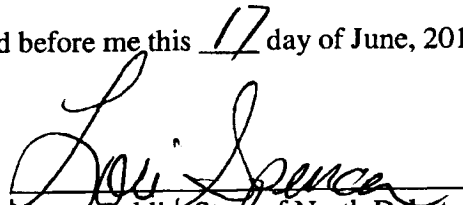


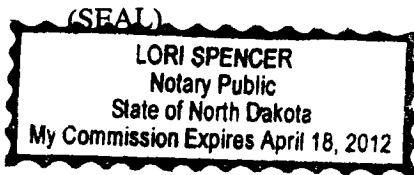
Notary Public

103 Collins Avenue, P.O. Box 1266
Mandan, North Dakota 58554-7266
(701) 663-9818

STATE OF NORTH DAKOTA)
)
COUNTY OF MORTON)

The foregoing instrument was acknowledged before me this 17 day of June, 2011 by
Thomas D. Kelsch.


Notary Public, State of North Dakota



BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NORTH DAKOTA

In the Matter of the Application for NEW)
CINGULAR WIRELESS PCS, LLC for)
Designation as an Eligible) Docket No. PU-11-086
Telecommunications Carrier)

ORDER - PRO HAC VICE/APPEARANCE BY NON-RESIDENT ATTORNEY

Attorney, Thomas D. Kelsch, of the law firm of Kelsch, Kelsch, Ruff & Kranda, 103 Collins Avenue, PO Box 1266, Mandan, North Dakota 58554-7266, has filed a Motion to allow Attorney Betsy S. Granger to appear in this action pro hac vice. Attorney Betsy S. Granger has indicated her intention to associate with Attorney Thomas D. Kelsch of 103 Collins Avenue, PO Box 1266, Mandan, North Dakota 58554-7266, who is duly licensed in North Dakota.

Accordingly, the Motion is HEREBY GRANTED and IT IS HEREBY ORDERED, that Attorney Betsy S. Granger be admitted to practice before this Court in the above-entitled case.

Dated this ____ day of _____, 2011.

NORTH DAKOTA

PUBLIC SERVICE COMMISSION:

BY:

ITS:

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF NORTH DAKOTA

In the Matter of the Application for NEW)
CINGULAR WIRELESS PCS, LLC for)
Designation as an Eligible)
Telecommunications Carrier)

Docket No. PU-11-086

CERTIFICATE OF SERVICE

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF MORTON)

LORI SPENCER, being first duly sworn, on oath, deposes and says: That she is a citizen of the United States, over the age of eighteen and not a party to the above-entitled action.

That on the 17 day of June, 2011, this affiant deposited in the United States Post Office at Mandan, North Dakota and/or electronically mailed a true and correct copy of the following document(s) in the above captioned action:

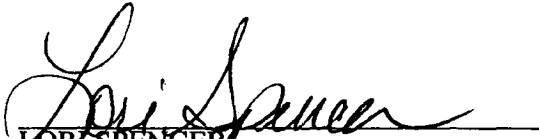
1. Motion for Admission of Non-Resident Attorney to Participate;
2. Affidavit of Betsy S Granger in Support of Pro Hac Vice/Appearance of Non-Resident Attorney;
3. Affidavit of Thomas D. Kelsch in Support of Pro Hac Vice/Appearance by Non-Resident Attorney;
4. Proposed Order - Pro Hac Vice/Appearance by Non-Resident Attorney

That a copy of the above document(s) was securely enclosed in an envelope with postage duly prepaid and/or electronically mailed and addressed as follows:

CYNTHIA J MANHEIM
GENERAL ATTORNEY
AT&T SERVICES INC
PO BOX 97061
REDMOND WA 98073

BETSY S GRANGER
GENERAL ATTORNEY
525 MARKET STREET - 20th FL #5
SAN FRANCISCO CA 94105

JOHN SISEMORE
DIRECTOR- EXTERNAL AFFAIRS
AT&T
208 S AKARD ST - STE 2532
DALLAS TX 75202


LORI SPENCER

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF MORTON)

The foregoing instrument was acknowledge before me this 17 day of June, 2011 by LORI SPENCER.


Notary Public, State of North Dakota

