

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

<b>Dakota Central Telecom I, Inc. Switched Access Price Schedule</b>	<b>Case No. PU-12-62</b>
<b>Dakota Central Telecommunications Cooperative Switched Access Price Schedule</b>	<b>Case No. PU-12-63</b>
<b>BEK Communications Cooperative Switched Access Price Schedule</b>	<b>Case No. PU-12-104</b>
<b>Turtle Mountain Communications, Inc. Switched Access Price Schedule</b>	<b>Case No. PU-12-171</b>
<b>North Dakota Telephone Company Switched Access Price Schedule</b>	<b>Case No. PU-12-172</b>
<b>Red River Rural Telephone Association Switched Access Price Schedule</b>	<b>Case No. PU-12-173</b>
<b>United Telephone Mutual Aid Corporation Switched Access Price Schedule</b>	<b>Case No. PU-12-174</b>
<b>Inter-Community Telephone Company, L.L.C. Switched Access Price Schedule</b>	<b>Case No. PU-12-175</b>
<b>Moore and Liberty Telephone Company Switched Access Price Schedule</b>	<b>Case No. PU-12-176</b>
<b>Griggs County Telephone Co. Switched Access Price Schedule</b>	<b>Case No. PU-12-177</b>

**West River Telecommunications Cooperative  
Switched Access  
Price Schedule**

**Case No. PU-12-178**

**Consolidated Telcom  
Switched Access  
Price Schedule**

**Case No. PU-12-179**

**Dickey Rural Telephone Cooperative  
Switched Access  
Price Schedule**

**Case No. PU-12-182**

**Dickey Rural Communications, Inc.  
Switched Access  
Price Schedule**

**Case No. PU-12-183**

**Polar Communications Mutual Aid Corporation  
Switched Access  
Price Schedule**

**Case No. PU-12-184**

## **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER**

**June 20, 2012**

### **Appearances**

Commissioners Tony Clark, Kevin Cramer and Brian P. Kalk.

Mark Gruman, North Dakota Public Service Commission Counsel, State Capitol, 600 E Boulevard Ave., Bismarck, North Dakota 58505, on behalf of the Public Service Commission.

Patrick Fahn, Director Compliance and Competitive Markets, North Dakota Public Service Commission, State Capitol, 600 E Boulevard Ave., Bismarck, North Dakota 58505.

### **Preliminary Statement**

On February 1, 2012, Dakota Central Telecom I, Inc. filed with the North Dakota Public Service Commission new price schedule pages to reflect newly enacted Federal Communication Commission (FCC) rules regarding the treatment of VoIP-PSTN traffic, pursuant to the FCC's report and Order and Further Notice of Rulemaking, Docket No. WC Docket No. 10-90, *et al*, FCC 11-161 (Released November 18, 2011). The FCC's Rules in this Order became effective on December 29, 2011.

Case No. PU-12-62 through PU-12-63; PU-10-104; PU-12-171 through PU-12-179; Case No. PU-12-182 through PU-12-184.

Findings of Fact, Conclusions of Law and Order

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On February 15, 2012 the Commission suspended Dakota Central Telecom I, Inc.'s proposed switched access price schedule, Case No. PU-12-62.

Further, on February 1, 2012, Dakota Central Telecommunications Cooperative filed with the North Dakota Public Service Commission new price schedule pages to reflect newly enacted Federal Communication Commission (FCC) rules regarding the treatment of VoIP-PSTN traffic, pursuant to the FCC's report and Order and Further Notice of Rulemaking, Docket No. WC Docket No. 10-90, *et al*, FCC 11-161 (Released November 18, 2011). The FCC's Rules in this Order became effective on December 29, 2011.

On February 15, 2012 the Commission suspended Dakota Central Telecommunications Cooperative's proposed switched access price schedule, Case No. PU-12-63.

On March 5, 2012, BEK Communications Cooperative (BEK) filed with the North Dakota Public Service Commission new price schedule pages to reflect newly enacted Federal Communication Commission (FCC) rules regarding the treatment of VoIP-PSTN traffic, pursuant to the FCC's report and Order and Further Notice of Rulemaking, Docket No. WC Docket No. 10-90, *et al*, FCC 11-161 (Released November 18, 2011). The FCC's Rules in this Order became effective on December 29, 2011.

On March 21, 2012 the Commission suspended BEK's proposed switched access price schedule, Case No. PU-12-104.

On April 30, 2012, North Dakota Telephone Company (Case No. PU-12-172), United Telephone Mutual Aid Corporation (Case No. PU-12-174), Red River Rural Telephone Association (Case No. PU-12-173), Turtle Mountain Communications, Inc. (PU-12-171), Inter-Community Telephone Company, L.L.C. (Case No. PU-12-175), Dickey Rural Telephone Cooperative (PU-12-182) and Dickey Rural Communications, Inc. (Case No. PU-12-183) filed with the North Dakota Public Service Commission (Commission) new switched access price schedule pages to reflect newly enacted Federal Communication Commission (FCC) rules regarding the treatment of VoIP-PSTN traffic (VoIP-PSTN price schedules), pursuant to the FCC's report and Order and Further Notice of Rulemaking, Docket No. WC Docket No. 10-90, *et al*, FCC 11-161 (Released November 18, 2011). The FCC's Rules in this Order became effective on December 29, 2011.

On May 2, 2012, West River Telecommunications Cooperative (Case No. PU-12-178), Griggs County Telephone Co. (Case No. PU-12-177) and Moore and Liberty Telephone Company (Case No. PU-12-176) filed with the Commission new VoIP-PSTN price schedules.

On May 4, 2012, Consolidated Telcom filed with the Commission new VoIP-PSTN price schedules, Case No. PU-12-179.

Case No. PU-12-62 through PU-12-63; PU-10-104; PU-12-171 through PU-12-179; Case No. PU-12-182 through PU-12-184.

Findings of Fact, Conclusions of Law and Order

On May 7, 2012, Polar Communications Mutual Aid Corporation filed with the Commission new VoIP-PSTN price schedules, Case No. PU-12-184.

On May 16, 2012 the Commission suspended the VoIP-PSTN price schedules filed in each of the cases enumerated above.

On April 25, 2012 and May 16, 2012, Notices of Opportunities for Hearing were issued by the Commission. As of the date of this Order, the Commission has received no comments nor requests for hearing.

Having allowed all interested persons an opportunity to be heard and having heard, reviewed and considered this matter, the Commission issues the following:

### Conclusions of Law

1. The Commission has jurisdiction over the parties and subject matter hereto.
2. The Commission takes Administrative Notice of all revised tariffs filed by the Companies herein (revised tariffs) submitted to the Commission due to newly enacted FCC rules pursuant to the FCC's report and Order and Further Notice of Rulemaking, Docket No. WC Docket No. 10-90, *et al*, FCC 11-161 (Released November 18, 2011)
3. The revised tariffs are just and reasonable.

### Order

The Commission Orders that the revised tariffs are APPROVED.

### PUBLIC SERVICE COMMISSION



Kevin Cramer  
Commissioner



Brian P. Kalk  
Chairman

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Vacant