

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Midcontinent Communications/North Dakota
Telephone Company
Interconnection Agreement Amendment
Application

Case No. PU-12-723

AFFIDAVIT OF SERVICE BY CERTIFIED & REGULAR MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Cara DeSaye deposes and says that:

she is over the age of 18 years and not a party to this action, and, on the **13th** day of **September, 2012**, 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
PO Box 400
Bismarck ND 58502-0400

Mr. Dave Dircks
North Dakota Telephone Company
PO Box 180
Devils Lake ND 58301-0180

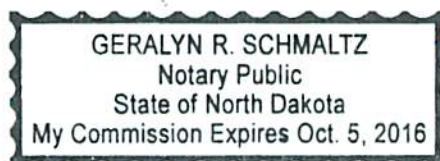
Cert. No. 7011 3500 0003 4574 5469


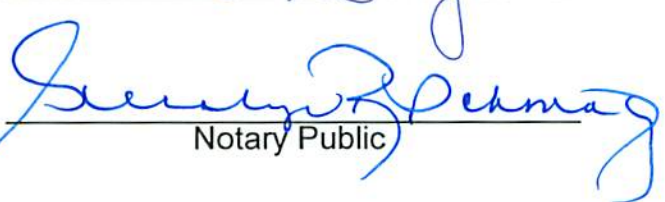
Cert. No. 7011 3500 0003 4574 5575

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

Subscribed and sworn to before me
this **13th** day of **September, 2012**

SEAL





Notary Public

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

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NOTICE OF OPPORTUNITY FOR COMMENT

September 12, 2012

On September 4, 2012, Midcontinent Communications (Midcontinent) entered into an interconnection agreement amendment with North Dakota Telephone Company (NDTC) pursuant to Section 251 of the Telecommunications Act of 1996 (Act). The agreement amendment sets forth terms and conditions under which NDTC will provide interconnection services, exchange of traffic, number portability, ancillary services and wholesale services for resale to Midcontinent in the Drake, Anamoose, and Fessenden, North Dakota exchanges. The agreement was filed with the Commission on September 5, 2012.

On September 5, 2012, Midcontinent filed a request for approval of the interconnection agreement in less than 90 days pursuant to 47 U.S.C. § 252(e)(1).

This agreement 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 October 24, 2012.

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 the Commission.

PUBLIC SERVICE COMMISSION



**Kevin Cramer
Commissioner**



**Brian P. Kalk
Chairman**



**Bonny M. Fetch
Commissioner**