

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

|   |                           |
|---|---------------------------|
| <b>BEK Communications Cooperative<br/>Switched Access<br/>Price Schedule</b>                    | <b>Case No. PU-13-108</b> |
| <b>Consolidated Telcom<br/>Switched Access<br/>Price Schedule</b>                               | <b>Case No. PU-13-109</b> |
| <b>Dakota Central Telecommunications<br/>Cooperative<br/>Switched Access<br/>Price Schedule</b> | <b>Case No. PU-13-110</b> |
| <b>Dakota Central Telecom I, Inc.<br/>Switched Access<br/>Price Schedule</b>                    | <b>Case No. PU-13-111</b> |
| <b>Dickey Rural Telephone Cooperative<br/>Switched Access<br/>Price Schedule</b>                | <b>Case No. PU-13-112</b> |
| <b>Griggs County Telephone Co.<br/>Switched Access<br/>Price Schedule</b>                       | <b>Case No. PU-13-113</b> |
| <b>Inter-Community Telephone Company,<br/>L.L.C.<br/>Switched Access<br/>Price Schedule</b>     | <b>Case No. PU-13-114</b> |
| <b>Missouri Valley Communications, Inc.<br/>Switched Access<br/>Price Schedule</b>              | <b>Case No. PU-13-115</b> |
| <b>Moore and Liberty Telephone Company<br/>Switched Access<br/>Price Schedule</b>               | <b>Case No. PU-13-116</b> |
| <b>Nemont Telephone Cooperative, Inc.<br/>Switched Access<br/>Price Schedule</b>                | <b>Case No. PU-13-117</b> |

**North Dakota Telephone Company  
Switched Access  
Price Schedule**

**Case No. PU-13-118**

**Northwest Communications  
Cooperative, a Cooperative Association  
Switched Access  
Price Schedule**

**Case No. PU-13-119**

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

**Case No. PU-13-120**

**Red River Rural Telephone Association  
Switched Access  
Price Schedule**

**Case No. PU-13-121**

**Reservation Telephone Cooperative  
Switched Access  
Price Schedule**

**Case No. PU-13-122**

**Turtle Mountain Communications, Inc.  
Switched Access  
Price Schedule**

**Case No. PU-13-123**

**United Telephone Mutual Aid  
Corporation  
Switched Access  
Price Schedule**

**Case No. PU-13-124**

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

**Case No. PU-13-125**

**Wolverton Telephone Company  
Switched Access  
Price Schedule**

**Case No. PU-13-126**

**AFFIDAVIT OF SERVICE BY CERTIFIED 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 7<sup>th</sup> day of **June, 2013**, she deposited in the United States Mail, at Bismarck, North Dakota, **fifteen** envelopes with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

**Order**

The envelopes were addressed as follows:

Derrick Bulawa  
BEK Communications Cooperative  
PO Box 230  
Steele ND 58482

Paul Schuetzler  
Consolidated Telcom  
PO Box 1408  
Dickinson ND 58602

**Cert No. 7012 1640 0002 4650 0060**

**Cert No. 7012 1640 0002 4650 0077**

Keith A. Larson  
Dakota Central Telecommunications  
Cooperative  
PO Box 299  
Carrington ND 58421

Jeff Wilson  
Dickey Rural Telephone Cooperative  
PO Box 69  
Ellendale ND 58436

**Cert No. 7012 1640 0002 4650 0084**

**Cert No. 7012 1640 0002 4650 0091**

Griggs County Telephone Company  
905 Lenham Ave SE  
Cooperstown ND 58425

Keith Andersen  
Inter-Community Telephone Company, LLC  
PO Box 8  
Nome ND 58062

**Cert No. 7012 1640 0002 4650 0107**

**Cert No. 7012 1640 0002 4650 0114**

Moore and Liberty Telephone Company  
301 Dewey Street  
Enderlin ND 58027

Mike Kilgore  
Nemont Telephone Cooperative, Inc.  
PO Box 600  
Scobey MT 59263

**Cert No. 7012 1640 0002 4650 0121**

**Cert No. 7012 1640 0002 4650 0138**

North Dakota Telephone Company  
PO Box 180  
Devils Lake ND 58301

Mike Steffan  
Northwest Communications Cooperative  
PO Box 38  
Ray ND 58849

**Cert No. 7012 1640 0002 4650 0145**

**Cert No. 7012 1640 0002 4650 0152**

David L. Dunning  
Polar Communications  
PO Box 270  
Park River ND 58270

Jeffrey J. Olson  
Red River Communications  
PO Box 136  
Abercrombie ND 58001

**Cert No. 7012 1640 0002 4650 0169**

**Cert No. 7012 1640 0002 4650 0176**

Royce S. Aslakson  
Reservation Telephone Cooperative  
PO Box 68  
Parshall ND 58770

Perry Oster  
United Telephone Mutual Aid Corporation  
PO Box 729  
Langdon ND 58249

**Cert No. 7012 1640 0002 4650 0183**

**Cert No. 7012 1640 0002 4650 0190**

Bonnie Krause  
West River Telecommunications  
Cooperative  
101 West Main  
Hazen ND 58545

**Cert No. 7012 1640 0002 4650 0206**

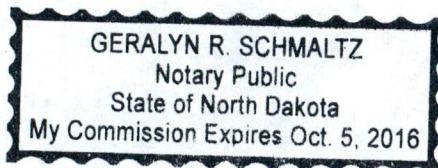
Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me  
this 7<sup>th</sup> day of **June, 2013**.



  
Notary Public

SEAL



**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

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| <b>Polar Communications Mutual Aid Corporation<br/>Switched Access<br/>Price Schedule</b>                         | <b>Case No. PU-13-120</b> |
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| <b>Reservation Telephone Cooperative<br/>Switched Access<br/>Price Schedule</b>                                   | <b>Case No. PU-13-122</b> |
| <b>Turtle Mountain Communications, Inc.<br/>Switched Access<br/>Price Schedule</b>                                | <b>Case No. PU-13-123</b> |
| <b>United Telephone Mutual Aid Corporation<br/>Switched Access<br/>Price Schedule</b>                             | <b>Case No. PU-13-124</b> |
| <b>West River Telecommunications Cooperative<br/>Switched Access<br/>Price Schedule</b>                           | <b>Case No. PU-13-125</b> |
| <b>Wolverton Telephone Company<br/>Switched Access<br/>Price Schedule</b>   | <b>Case No. PU-13-126</b> |

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

**June 5, 2013**

### **Appearances**

Commissioners Brian P. Kalk, Randy Christmann and Julie Fedorchak.

David J. Hogue, Pringle & Herigstad P.C., 2525 Elk Drive, Minot, ND 58702-1000, on behalf of the enumerated companies.

Ryan Norrell and Patrick Fahn, Public Service Commission, State Capitol, 600 E. Boulevard, Bismarck, North Dakota 58505, on behalf of the North Dakota Public Service Commission.

Bonny M. Fetch, Administrative Law Judge, Office of Administrative Hearings, 2911 North 14th Street, Suite 303, Bismarck, North Dakota 58501-1882, as Procedural Hearing Officer.

### **Preliminary Statement**

On November 18, 2011, the Federal Communications Commission ("FCC") issued its Universal Service/Intercarrier Compensation Reform Order - FCC 11-161 ("Transitional Order"). See Connect America Fund, et al., WC Docket NO. 10-90 et al., Report and Order and Further Notice of Proposed Rulemaking, FCC 11-161 (rel. Nov. 18, 2011). The Transitional Order requires a series of transitional intrastate access charge reductions for both price cap and rate of return carriers with the first reduction to be effective July 1, 2012. Nineteen (19) rate of return carriers filed intrastate North Dakota tariffs with the North Dakota Public Service Commission.

Following the November 2011 Transformation Order, the FCC issued an order on June 5, 2012 in the same docket that clarified rural LECs' duty to reduce intrastate access charges. The June 5, 2012 order granted rural LECs considerable flexibility in meeting the step one intrastate access revenue reductions.

On March 12, 2013, BEK Communications Cooperative, Case No. PU-13-108; Consolidated Telcom, Case No. PU-13-109; Dakota Central Telecommunications Cooperative, Case No. PU-13-110; Dakota Central Telecom I, Inc., Case No. PU-13-111; Dickey Rural Telephone Cooperative, Case No. PU-13-112; Griggs County Telephone Co., Case No. PU-13-113; Inter-Community Telephone Company, L.L.C., Case No. PU-13-114; Missouri Valley Communications, Case No. PU-13-115; Moore and Liberty Telephone Company, Case No. PU-13-116; Nemont Telephone Cooperative, Case No. PU-13-117; North Dakota Telephone Company, Case No. PU-13-118; Northwest Communications Cooperative, a Cooperative Association, Case No.

PU-13-119; Polar Communications Mutual Aid Corporation, Case No. PU-13-120; Red River Rural Telephone Association, Case No. PU-13-121; Reservation Telephone Cooperative, Case No. PU-13-122; Turtle Mountain Communications, Inc., Case No. PU-13-123; United Telephone Mutual Aid Corporation, Case No. PU-13-124; West River Telecommunications Cooperative, Case No. PU-13-125; and Wolverton Telephone Company, Case No. PU-13-126 filed with the North Dakota Public Service Commission (Commission) revised intrastate switched access price schedule pages to reflect revised Federal Communication Commission (FCC) rules governing intercarrier compensation, to reflect NECA interstate switched access rate increases that became effective January 1, 2013, to move to Local Transport Restructure for terminating access rates, to establish an Adjustment Factor to determine Percentage of Interstate Use applicable to mixed jurisdiction and rate structure, and to make various other changes. The price schedule pages specify switched access prices for a rate transition period through the year 2020. The enumerated companies request a July 1, 2013 effective date for the proposed switched access price schedules.

On March 27, 2013 the Commission suspended the intrastate switched access price schedules filed in each of the cases enumerated.

On May 24, 2013 the enumerated companies filed corrections to certain rate pages submitted in March 12, 2013 filings. This filing is a complete replacement for the March 12, 2013 filings.

The Commission's March 27, 2013 Notice of Consolidated Hearing scheduled a evidentiary hearing regarding this matter for May 29, 2013 at 9:00 a.m. at the Commission Hearing Room. The issue to be considered was whether the intrastate switched access price schedules filed by each of the companies in the cases enumerated should be approved by the North Dakota Public Service Commission. No third parties intervened in this matter or appeared at the evidentiary hearing.

Having allowed all interested persons an opportunity to be heard and having heard, reviewed, and considered all testimony and evidence presented, the Commission makes the following:

### **Findings of Fact**

1. The tariffs filed by the nineteen (19) enumerated companies comply with the FCC requirements found in CFR §51.907(b) (for Price Cap Carriers) and CFR §51.909(b) (for Rate-of-Return Carriers), and follow all necessary guidelines for adjustment required by FCC order.

From the foregoing Findings of Fact, the Commission now makes its:

### **Conclusions of Law**

1. The Commission has jurisdiction over the parties and subject matter and the rate of return companies who have filed intrastate access tariffs in this consolidated case.
2. The Commission takes Administrative Notice of all revised tariffs filed by the companies herein pursuant to FCC rules cited.
3. The switched access price schedules are just and reasonable.

From the foregoing Findings of Fact and Conclusions of Law, the Commission now makes its:

### Order

The Commission orders

1. The switched access price schedules of the enumerated companies are APPROVED to become effective July 1, 2013.

#### PUBLIC SERVICE COMMISSION

  
\_\_\_\_\_  
**Randy Christmann**  
Commissioner

  
\_\_\_\_\_  
**Brian P. Kalk**  
Chairman

  
\_\_\_\_\_  
**Julie Fedorchak**  
Commissioner