

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Midcontinent Communications/  
Consolidated Communications Network, Inc.  
Interconnection Agreement Amendment  
Application

Case No. PU-13-909

**ORDER ON INTERCONNECTION AGREEMENT AMENDMENT**

**February 14, 2014**

On December 19, 2013, Midcontinent Communications (Midcontinent) entered into an interconnection agreement amendment (amendment) with Consolidated Communications Network, Inc. (CCNI), pursuant to Section 251 of the Telecommunications Act of 1996 (Act). The amendment sets forth terms and conditions under which CCNI and Midcontinent will provide interconnection services for transport and termination of local service, and for extended area service traffic and local number portability between their respective networks.

Midcontinent filed the amendment with the Commission on December 20, 2013, and requested approval of the amendment in less than 90 days pursuant to 47 U.S.C. § 252(e)(1).

This amendment 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.

Section 252(e)(4) of the Act requires that the Commission act to approve or reject an agreement adopted by negotiation within ninety (90) days after submission by the parties.

On December 30, 2013, the Commission issued a Notice of Opportunity for Comment providing until February 14, 2014, to receive written comments. No comments were received.

The Commission has reviewed the amendment and finds that it has not been shown to discriminate against a telecommunications carrier that was not a party to the agreement. The Commission further finds that implementation of the amendment has not been shown to be inconsistent with the public interest, convenience and necessity.

### Order

The Commission orders:

1. The interconnection agreement amendment negotiated between Consolidated Communications Network, Inc., and Midcontinent Communications, filed with the Commission on December 20, 2013, is APPROVED.
2. The Commission retains continuing jurisdiction over the agreement at all times.
3. Notice of any changes to the agreement must be filed promptly with the Commission.
4. The agreement must not be assigned, assumed or otherwise transferred without the approval of the Commission.
5. Each party to the agreement shall respond reasonably and in good faith to the other party's requests to implement the agreement.

### PUBLIC SERVICE COMMISSION



Randy Christmann  
Commissioner



Brian P. Kalk  
Chairman



Julie Fedorchak  
Commissioner

