

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Midcontinent Communications/ Dakota Central Telecom I      Case No. PU-15-222  
Interconnection Agreement  
Application

**ORDER ON INTERCONNECTION AGREEMENT**

**July 29, 2015**

On May 1, 2015, Midcontinent Communications (Midcontinent) entered into an interconnection agreement with Dakota Central Telecom I pursuant to Section 251 of the Telecommunications Act of 1996 (Act). The agreement sets forth terms and conditions under which Dakota Central I will provide interconnection services, exchange of traffic, number portability, ancillary services and wholesale services for resale to Midcontinent in the Carrington and Courtenay, North Dakota exchanges. The agreement was filed with the Commission on May 28, 2015.

On May 28, 2015, 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.

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 June 3, 2015, the Commission issued a Notice of Opportunity for Comment providing until July 17, 2015, to receive written comments. No comments were received.

The Commission has reviewed the agreement 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 agreement has not been shown to be inconsistent with the public interest, convenience and necessity.

### Order

The Commission orders:

1. The interconnection agreement negotiated between Dakota Central Telecom I and Midcontinent Communications, filed with the Commission on May 28, 2015, 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  
Randy Christmann  
Commissioner



Julie Fedorchak  
Julie Fedorchak  
Chairman



Brian Kalk  
Brian Kalk  
Commissioner