



More Than a Telephone Company!

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Devils Lake, ND 58301-0180
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April 5, 2016



Darrell Nitschke
Executive Secretary
North Dakota Public Service Commission
12th Floor State Capitol
600 East Boulevard, Dept. 408
Bismarck ND 58505-0480

RE: North Dakota Telephone Company Exchange and Network Services Tariff

North Dakota Telephone Company (NDTC) respectfully files with the North Dakota Public Service Commission the enclosed revised tariff pages of the NDTC Exchange and Network Services Tariff. We have enclosed both an original and a redlined copy. The effective date for the tariff revision is March 1, 2016.

The filing of the revised tariff pages serves to incorporate the York exchange into North Dakota Telephone's existing Leeds exchange.

If you have any questions or need additional information please let me know and I will be happy to provide this as requested.

Sincerely,

A handwritten signature in blue ink, appearing to read "DD".

Dave Dircks
CEO/General Manager
North Dakota Telephone Company

DD/plm
Enclosures

1 **PU-16-154** Filed: 4/5/2016 Pages: 9
Exchange and Network Services Tariff

North Dakota Telephone Company
Dave Dircks

NORTH DAKOTA TELEPHONE COMPANY
Exchange and Network Services Tariff

State of North Dakota
Issued: November 27, 2002
Effective: ~~May 1, 2013~~ *March 1, 2016*

Section 4
~~1st 2nd~~ Revised Page 7
~~Replaces Original 1st Revised~~ Page 7

4. LOCAL EXCHANGE SERVICE

4.4 EXTENDED AREA SERVICE (EAS)

Extended Area Service (EAS) is telephone service in which one exchange may call customers in another exchange or combination of exchanges without incurring toll charges.

A. ROUTES

1. Establishing Routes

A new route between contiguous exchanges may be established by vote of seventy percent of the total number of customers in both exchanges. When one of the exchanges belongs to another company both companies must agree to the route before the vote will be taken.

2. Discontinuing Routes

An EAS route will be discontinued by vote of a majority of the total number of customers in both exchanges.

B. EXTENDED AREA SERVICE (EAS) CALLING

The following NDTC exchanges have Extended Area Service Calling to the exchanges listed below:

Exchange	Additional EAS Calling
Drake	Butte
Harvey	Martin
Leeds	York

NORTH DAKOTA TELEPHONE COMPANY
Exchange and Network Services Tariff

State of North Dakota
Issued: November 27, 2002
Effective: March 1, 2016

Section 4
2nd Revised Page 7
1st Revised Page 7

4. LOCAL EXCHANGE SERVICE

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Extended Area Service (EAS) is telephone service in which one exchange may call customers in another exchange or combination of exchanges without incurring toll charges.

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B. EXTENDED AREA SERVICE (EAS) CALLING

The following NDTC exchanges have Extended Area Service Calling to the exchanges listed below:

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(D)

NORTH DAKOTA TELEPHONE COMPANY
Exchange and Network Services Tariff

State of North Dakota
Issued: September 13, 2005
Effective: ~~May 1, 2013~~ *March 1, 2016*

Section 4
~~2nd-3rd~~ Revised Page 8
Replaces ~~1st-2nd~~ Revised Page 8

4. LOCAL EXCHANGE SERVICE

4.5 LOCAL CALLING SCOPE

When exchanges can call another exchange or combination of exchanges, and those exchanges are all owned by the same telecommunications Company, the area is known as the Local Calling Scope. The following table contains the NXX and Rate Centers within the Local Calling Scope:

NXX	Rate Center	NXX	Rate Center
542	Balta	438	Maddock
968	Cando	322	McVille
398	Crary	473	Minnewaukan
662	Devils Lake	947	New Rockford
665	Devils Lake	798	Oberon
465	Drake	296	Pekin
249	Esmond	393	Penn
547	Fessenden	776	Rugby
766	Fort Totten	996	Sheyenne
868	Hampden	292	Starkweather
324	Harvey	262	Tolna
583	Knox	294	Warwick
466	Leeds	395	Webster
<i>592</i>	<i>Leeds</i>		

4.6 TAXES

State, County and local taxes apply in addition to the rates set forth in this Tariff. (See also General Regulations – Section 2)

NORTH DAKOTA TELEPHONE COMPANY
Exchange and Network Services Tariff

State of North Dakota
Issued: September 13, 2005
Effective: March 1, 2016

Section 4
3rd Revised Page 8
Replaces 2nd Revised Page 8

4. LOCAL EXCHANGE SERVICE

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(N)

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PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 15-1478

Released: December 22, 2015

NOTICE OF NON-STREAMLINED DOMESTIC SECTION 214 APPLICATION GRANTED

WC Docket No. 15-263

Pursuant to section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and sections 0.91, 0.291, and 63.03 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 63.03, the Wireline Competition Bureau (Bureau) approves the application of Midstate Communications, Inc. (Midstate) and North Dakota Telephone Company (NDTC) requesting approval for the transfer of certain access lines from Midstate to NDTC.¹ No commenter opposed grant of the application.

The Bureau finds, upon consideration of the record, that the proposed transfer will serve the public interest, convenience, and necessity and, therefore, grants the requested authorization.² Pursuant to section 1.103 of the Commission's rules, 47 C.F.R. § 1.103, the consent granted herein is effective upon the release of the Public Notice. Petitions for reconsideration under section 1.106 or applications for review under section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of this Public Notice.

For further information, please contact Myrva Freeman at (202) 418-1506 or Jodie May at (202) 418-0913, Competition Policy Division, Wireline Competition Bureau.

– FCC –

¹ *Domestic Section 214 Application Filed for the Transfer of Control of Certain Access Lines from Midstate Communications, Inc. to North Dakota Telephone Company*, WC Docket No. 15-263, Public Notice, DA 15-1318 (rel. Nov. 16, 2015).

² *See Joint Applications of Global Crossing Ltd. and Citizens Communications Company for Authority to Transfer Control of Corporations Holding Commission Licenses and Authorizations Pursuant to Sections 214 and 310(d) of the Communications Act and Parts 20, 22, 63, 78, 90, and 101 of the Commission's Rules*, File Nos. ITC-T/C-20000828-00530 CCBPol No. 00-1 20001005AD-09 0000209675, et al., Memorandum Opinion and Order, 16 FCC Rcd 8507, 8510-11, paras. 7-9 (Com. Car. Bur./Int'l. Bur./Cable Serv. Bur./Wireless Telecom. Bur. 2001) (granting transfer of control involving incumbent local exchange carriers with adjacent exchanges where merger would provide service efficiencies).



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DA 15-1318
November 16, 2015

DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF CERTAIN ACCESS LINES FROM MIDSTATE COMMUNICATIONS, INC. TO NORTH DAKOTA TELEPHONE COMPANY

NON-STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 15-263

Comments Due: November 30, 2015
Reply Comments Due: December 7, 2015

Midstate Communications, Inc. (Midstate) and North Dakota Telephone Company (NDTC) (together, Applicants) filed an application pursuant to section 214 of the Communications Act of 1934, as amended (Act), seeking approval to transfer control of access lines from Midstate to NDTC.¹

Midstate, a North Dakota corporation, is a rural incumbent local exchange carrier (LEC) serving approximately 1,008 access lines in the North Dakota exchanges of Beach (located in the southwest portion of the state) and York (located in the northeast portion of the state). Applicants state that the following U.S. citizens own Midstate: Ryan Wilhelmi (30 percent), David Wilhelmi (35 percent), Tom Wilhelmi (17.5 percent), and Tim Wilhelmi (17.5 percent).

NDTC, a North Dakota corporation, is a rural incumbent LEC serving approximately 11,778 access lines in the following North Dakota exchanges: Balta, Cando, Crary, Devils Lake, Drake, Esmond, Fessenden, Fort Totten, Hampden, Harvey, Knox, Leeds, Maddock, McVile, Minnewaukan, New Rockford, Oberon, Pekin, Penn, Sheyenne, Starkweather, Tolna, Rugby, Warwick, and Webster. Applicants state that Midstate's York exchange is located in the northwestern portion of the NDTC service area, adjacent to and entirely surrounded by NDTC. Applicants state that TPC, Inc. owns 100 percent of the equity of NDTC, and that the following entities own TPC, Inc.: United Telephone (40.5 percent), Polar Communications (40.5 percent), and Dakota Central Telecom (19 percent). All entities are U.S.-based. Applicants state that there are no other 10 percent or greater interest holders of NDTC. Because of the adjacent service territories Applicants have identified, this application is not subject to presumptive streamlining under section 63.03 of the Commission's rules.²

¹ 47 C.F.R. § 63.03; *see* 47 U.S.C. § 214. Applicants state that they have separately filed a Joint Petition for Waiver of Study Area Boundary associated with this transaction. Applicants filed a supplement to their domestic section 214 application on November 12, 2015.

² 47 C.F.R. § 63.03.

Pursuant to the terms of the proposed transaction, Midstate will relinquish to NDTC 20 access lines in Midstate's existing York exchange. Applicants state that NDTC will assume the York exchange serving territory and will incorporate it into its existing Leeds Exchange. The transfer of lines does not involve any purchase or assignment of assets as NDTC will overbuild facilities to serve the former Midstate York exchange customers. Applicants assert that a grant of the application will serve the public interest, convenience, and necessity.

Domestic Section 214 Application Filed for the Transfer of Control of Certain Access Lines of Midstate Communications, Inc. to North Dakota Telephone Company, WC Docket No. 15-263 (filed Oct. 28, 2015).

GENERAL INFORMATION

The transfer of control identified herein has been found, upon initial review, to be acceptable for filing. The Commission reserves the right to return any transfer application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 CFR § 63.03(a), interested parties may file comments **on or before November 30, 2015**, and reply comments **on or before December 7, 2015**. Pursuant to section 63.52 of the Commission's rules, 47 C.F.R. § 63.52, commenters must serve a copy of comments on the Applicants no later than the above comment filing date.

Pursuant to section 63.03 of the Commission's rules, 47 CFR § 63.03, parties to this proceeding should file any documents in this proceeding using the Commission's Electronic Comment Filing System (ECFS): <http://apps.fcc.gov/ecfs/>.

In addition, e-mail one copy of each pleading to each of the following:

- 1) Myrva.Freeman, Competition Policy Division, Wireline Competition Bureau, myrva.freeman@fcc.gov;
- 2) Jodie May, Competition Policy Division, Wireline Competition Bureau, jodie.may@fcc.gov;
- 3) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), 1-888-835-5322 (tty).

The proceeding in this Notice shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's ex parte rules. Persons making ex parte presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral ex parte presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the ex parte presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during ex parte meetings are

deemed to be written ex parte presentations and must be filed consistent with rule 1.1206(b), 47 C.F.R. § 1.1206(b). Participants in this proceeding should familiarize themselves with the Commission's ex parte rules.

For further information, please contact Myrva Freeman at (202) 418-1506 or Jodie May at (202) 418-0913.

- FCC -