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**PATRICK W. DURICK**

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February 19, 2008

HAND DELIVERED

Illona Jeffcoat-Sacco  
Executive Director  
North Dakota Public Service Commission  
Capitol  
600 East Boulevard, Twelfth Floor  
Bismarck, North Dakota 58505

**RECEIVED**

**FEB 19 2008**

**PUBLIC SERVICE COMMISSION**

Re: Midcontinent Communications/Consolidated Telcom  
PU-07-704

Dear Illona:

Enclosed for filing are the original and seven copies of MIDCONTINENT COMMUNICATION'S PETITION FOR APPROVAL OF AGREEMENT.

This document is also being transmitted electronically to your office. Also enclosed is an extra copy of the Request to be filed stamped and returned in the self-addressed, stamped envelope.

If the Commission enters an order approving the agreement, please include the ADDITIONAL TERRITORY AMENDMENT TO THE INTERCONNECTION AGREEMENT BETWEEN CONSOLIDATED TELCOM AND MIDCONTINENT COMMUNICATIONS on the Commission's list of Archived Interconnection Agreements which are available for public inspection and copying in compliance with 47 U.S.C. §252(h).


Thank you for your attention to this matter.

Illona Jeffcoat-Sacco  
February 19, 2008  
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If you have any questions, please do not hesitate to contact our office.

Sincerely,

PEARCE & DURICK



PATRICK W. DURICK

Counsel to Midcontinent Communications

PWD/ak

Enclosures

cc: Michael Maus (via email)  
William Binek (via email)  
Mary Lohnes (via email)  
J.G. Harrington (via email)

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

IN THE MATTER OF:

Case No. PU- 07-704

Midcontinent Communications, a	)
South Dakota Partnership,	)
	)
Complainant,	)
	)
vs.	)
	)
Consolidated Telcom,	)
	)
Respondent.	)

**MIDCONTINENT COMMUNICATION’S PETITION FOR APPROVAL OF**  
**AGREEMENT**

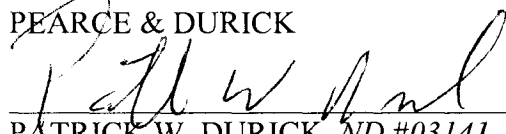
On October 8, 2007, Midcontinent Communications (“Midcontinent”) filed a Petition for Arbitration in this matter. The only issue for arbitration listed by Midcontinent in the petition was the discount rate for the Hettinger, North Dakota exchange of Consolidated Telcom (“Consolidated”). Under date of October 18, 2007, Consolidated filed its Response to Midcontinent’s Petition to Arbitrate agreeing that the only open issue for arbitration was the discount rate for the Hettinger, North Dakota exchange. Thereafter, Consolidated agreed to the discount rate suggested by Midcontinent in the petition and the parties voluntarily entered into the ADDITIONAL TERRITORY AMENDMENT TO THE INTERCONNECTION AGREEMENT BETWEEN CONSOLIDATED TELCOM AND MIDCONTINENT COMMUNICATIONS. Said agreement is marked as Exhibit “A” and attached hereto.

WHEREFORE, Midcontinent requests that the Commission enter an order as follows:

- 1) dismissing the arbitration proceeding, and
- 2) approving the ADDITIONAL TERRITORY AMENDMENT TO THE INTERCONNECTION AGREEMENT BETWEEN CONSOLIDATED TELCOM AND MIDCONTINENT COMMUNICATIONS pursuant to 47 U.S.C. § 252(e)(1).

Dated this 19<sup>th</sup> day of February, 2008.

PEARCE & DURICK



PATRICK W. DURICK ND #03141

Individually and as a Member of the Firm

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*Attorneys for Midcontinent Communications*

ADDITIONAL TERRITORY AMENDMENT  
TO THE INTERCONNECTION AGREEMENT BETWEEN  
CONSOLIDATED TELCOM AND MIDCONTINENT COMMUNICATIONS

This Amendment ("Amendment") dated as of January 25<sup>th</sup>, 2008 is made and entered into by and between Consolidated Telcom ("Consolidated") and Midcontinent Communications ("Midcontinent") (Collectively, the "Parties"). The services described in this Amendment shall be provided in the State of North Dakota.

RECITALS:

WHEREAS, the Parties entered into an Interconnection Agreement for services in the State of North Dakota that was filed with the North Dakota Public Service Commission on August 21, 2007 ("Prior Agreement") and,

WHEREAS, The Parties wish to amend the Prior Agreement under the terms and conditions contained herein.

AGREEMENT

NOW THEREFORE, in consideration of the mutual terms, covenants and conditions contained in this Amendment and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

AMENDMENT TERMS

The Prior Agreement is hereby amended by adding the Hettinger, North Dakota Exchange to Exhibit B, Area of Resale to Attachment 1, Resale, to the General Terms and Conditions of the Prior Agreement as filed and above mentioned.

EFFECTIVE DATE

This Amendment shall be deemed effective upon approval by the Commission.

ENTIRE AMENDMENT

The Prior Agreement as amended constitutes the full and entire understanding and agreement between the Parties with regard to the subjects of the Prior Agreement as amended and supersedes any prior understandings,

agreements, or representations by or between the Parties, written or oral, to the extent they relate in any way to the subjects of the Prior Agreement as amended.

The Parties intending to be legally bound have executed this Amendment on the dates set forth below, in multiple counterparts, each of which is deemed an original, but all of which shall constitute one and the same instrument.

MIDCONTINENT COMMUNICATIONS,  
A South Dakota General Partnership

By: MIDCONTINENT COMMUNICATIONS  
INVESTOR, LLC, Managing Partner

By: Nancy A. Vogel  
NANCY VOGEL  
Its: Director of Revenue Assurance  
Date: 2-5-08

CONSOLIDATED TELCOM

By: Paul Schuetzler  
PAUL SCHUETZLER  
Its: General Manager  
Date: 1/24/08