STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

New Edge Network, Inc./Qwest Corporation **Commercial Line Sharing Agreement** **Service Agreement(s)**	**Case No. PU-04-620**
ACN Communication Services, Inc./Qwest Corporation **Master Service Agreement** **Service Agreement(s)**	**Case No. PU-05-7**
OrbitCom, Inc./Qwest Corporation **Master Service Agreement** **Service Agreement(s)**	**Case No. PU-05-25**

NOTICE OF OPPORTUNITY FOR HEARING

January 26, 2005

On November 22, 2004 Qwest Corporation (Qwest) filed a copy of two Commercial Line Sharing Arrangements negotiated with New Edge Networks (New Edge). The Commercial Line Sharing Arrangements set forth rates, terms or conditions under which Qwest will provision the high frequency portion of the copper loop, a service known as line sharing, Case No. PU-04-620.

On January 6, 2005 Qwest filed a copy of a Master Services Agreement negotiated with ACN Communications Services Inc. (ACN). This Master Services Agreement sets forth rates, terms or conditions under which Qwest agrees to provide Qwest Platform Plus (QPP) Service, Case No. PU-05-7.

On January 13, 2005 Qwest filed a copy of a Master Services Agreement negotiated with OrbitCom, Inc. (OrbitCom) This Master Services Agreement sets forth rates, terms or conditions under which Qwest agrees to provide Qwest Platform Plus (QPP) Service, Case No. PU-05-25.

The Commercial Line Sharing Arrangements with New Edge and the Master Services Agreement with ACN and OrbitCom have been posted on the Commission website.

In separate proceedings the Commission is reviewing other Master Services Agreements: Qwest/MCIMetro Access Transmission Services, LLC (MCI) filed August 2, 2004, Case No. PU-04-402; Qwest/Northstar Telecom, Inc. filed October 29, 2004, Case No. PU-04-572; and Qwest/Z-Tel Communications Inc. filed October 29, 2004, Case No. PU-04-576. In those proceedings as well as the proceeding noticed in this document, Qwest asserts that the Master Services Agreement is for services that Qwest is no longer required to provide under Section 251 or 252 of the Act. Therefore, Qwest asserts, the Master Services Agreement is not an interconnection agreement subject to section 252 filing obligations and MCI's application for approval should be dismissed. MCI asserts that section 252(e) requires that a voluntarily negotiated agreement be filed with state commissions for review and approval.

The issue to be considered in these proceedings is whether the Master Services Agreements and the Commercial Line Sharing Arrangements are interconnection agreements

subject to state regulatory Commission approval under section 252 of the Act. The same issue is being considered in Case No PU-04-402 and may set precedent for Case No PU-04-572, PU-04-576, PU-04-620, PU-05-7, and PU-05-25.

Those interested are invited to comment in writing. Persons desiring a hearing must file a written request identifying their interest in the proceeding and the reasons for requesting a hearing. **Comments and requests for hearings must be received by March 1, 2005**. If deemed appropriate, the Commission can determine the matter without a hearing.

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials please notify Illona A. Jeffcoat-Sacco, Executive Secretary.

PUBLIC SERVICE COMMISSION

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Susan E. Wefald	**Tony Clark**	**Kevin Cramer**
Commissioner	**President**	**Commissioner**