STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

North Dakota Telephone Company/ Midcontinent Communications Interconnection Agreement Amendment Application — **Case No. PU-10-309**

ORDER ON INTERCONNECTION AGREEMENT AMENDMENT

August 24, 2010

On June 25, 2010, Midcontinent Communications (Midcontinent) filed a petition for approval of an interconnection agreement amendment with North Dakota Telephone Company. The agreement amendment sets forth rates, terms, and conditions under which North Dakota Telephone Company will provide interconnection services, local number portability, ancillary services, and wholesale services for resale to Midcontinent in the New Rockford, North Dakota exchange.

This agreement amendment was filed under Section 252(e) of the Telecommunications Act of 1996 (Act). 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 amendment 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) 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 30, 2010, the Commission issued a Notice of Opportunity for Comment, which provided that the Commission would receive written comments on the agreement amendment until August 13, 2010. No comments were received.

The Commission has reviewed the agreement amendment and finds that it has not been shown to discriminate against a telecommunications carrier that was not a party to the agreement amendment. The Commission further finds that implementation of the agreement 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 Midcontinent Communications and North Dakota Telephone Company and filed with the Commission on June 25, 2010, is APPROVED.

2. The Commission retains continuing jurisdiction over the agreement amendment at all times.

3. Notice of any changes to the agreement amendment must be filed promptly with the Commission.

4. The agreement amendment must not be assigned, assumed or otherwise transferred without the approval of the Commission.

5. Each party to the agreement amendment shall respond reasonably and in good faith to the other party's requests to implement the agreement amendment.

PUBLIC SERVICE COMMISSION

Tony Clark	**Kevin Cramer**	**Brian P. Kalk**
Commissioner	**Chairman**	**Commissioner**