

The Commission met on **Thursday, May 20, 2004**, with Chair Koppendrayer and Commissioners Johnson and Reha present.

Comment [COMMENT1]: Minutes by Ann Pollack, Eric Witte, and Peter Brown. 7 motions were made.

Following the Energy Agenda, the following items were taken up by the Commission:

TELECOMMUNICATIONS AGENDA

BLOC MOTION

Commissioner Johnson moved to take the following action regarding the following dockets:

P-5895/M-04-375

In the Matter of the Revocation of the Certificate of Authority of Natel, LLC

- Adopt the recommendations of the Minnesota Department of Commerce (the Department) to –
 1. revoke the certificate of authority of Natel, LLC, (Natel) to provide long distance service in Minnesota,
 2. inform all local exchange carriers and interexchange carriers that Natel is no longer authorized to provide service in Minnesota, and
 3. leave Natel liable for any unpaid regulatory assessments or fees.

P-5421/M-04-448

In the Matter of the Revocation of the Certificate of Authority of North Net, Inc. d/b/a Funding Our Future

- Adopt the recommendations of the Department to –
 1. revoke the certificate of authority of North Net, Inc. d/b/a Funding Our Future (North Net) to provide long distance service in Minnesota,
 2. inform all local exchange carriers and interexchange carriers that North Net is no longer authorized to provide service in Minnesota, and
 3. leave North Net liable for any unpaid regulatory assessments or fees.

The motion passed 3-0.

P-573, 421, 404, 407, 520, 405, 413, 426, 427, 430/CP-03-402

In the Matter of a Petition for Extended Area Service from the Winsted Exchange to the Metropolitan Calling Area

Commissioner Reha moved to do the following:

- Approve extended area service (EAS) between Winsted and the metropolitan calling area

(MCA).

- Require Winsted Telephone Company to implement the service in its exchange within 12 months following the date of the Order Certifying Polling Results (Order).
 - Require Winsted Telephone Company to coordinate the implementation of EAS in the Winsted exchange with the telephone companies that serve the MCA and file an implementation schedule within 60 days of the Order.
- Require that if, for some reason, the implementation schedule changes, Winsted Telephone Company must immediately notify the Commission and explain the reason(s) for the change.
 - Require Winsted Telephone Company to file the first of two proposed customer notices for approval by Commission staff within 10 days of the date of the Order.
- Direct that the notice for customers in the Winsted exchange should list the results of the polling, the EAS additives and the proposed implementation date. Direct that after approval, Winsted Telephone Company must serve the notice in the first possible billing cycle.
- Require Winsted Telephone Company to send a final Commission-approved notice to customers in the Winsted exchange, either by bill insert or separate mailing; Direct that the final notice should describe the service, instruct customers on dialing, and list the additional monthly rates, the date of implementation and any other pertinent information. Winsted Telephone Company should issue the notice one month before it implements EAS.
 - Require Winsted Telephone Company to make any requests for recovery of non-recurring costs at least 120 days before the planned implementation date. Direct that the Department should have 30 days to comment on the proposed charges.
- Require the companies serving the MCA to file proposed customer notices for customers in the MCA for approval by Commission staff 90 days before the anticipated implementation date of the Winsted to MCA route.
- Direct that the notices describe the service, instruct customers on dialing, list the additional rates to be paid and the date of implementation, and that the companies should send the notices during billing cycles that conclude at least one month, but not more than two months, before EAS is implemented.
- Require Winsted Telephone Company to file tariff sheets reflecting Commission Orders that establish the rates and terms for EAS between Winsted and the MCA.
- Direct that these tariff sheets should be filed at least 30 days before implementation of EAS, whereupon this docket will close. The motion passed 3-0.

P-421/C-03-627

In the Matter of the Complaint of Eschelon Telecom of Minnesota, Inc. Against Qwest Corporation, Inc. (Qwest)

Commissioner Reha moved to deny reconsideration of the ORDER GRANTING ESCHELON SUMMARY JUDGMENT AND REQUIRING A REFUND (February 27, 2004).

The motion passed 3-0.

P-421/C-03-683

In the Matter of the Complaint of Eschelon Telecom, Inc. Against Qwest Corporation Regarding Qwest's Refusal to Honor Contractual and Legal Obligations and Request for Expedited Proceeding

Chair Koppendrayer moved to deny reconsideration of the ORDER RESOLVING COMPLAINT (March 18, 2004).

The motion passed 3-0.

BLOC MOTION

Commissioner Reha moved to take the following action with respect to the following dockets:

P-571/AM-04-328

In the Matter of the Petition by Winnebago Cooperative Telephone Association for a Suspension or Modification of Local Number Portability Obligations Pursuant to 47 U.S.C. § 251(f)(2)

- Suspend the local number portability (LNP) obligations of Winnebago Cooperative Telephone Association (WCTA) for six months, provided that if the Iowa Utilities Board directs WCTA to implement wireless LNP for its Iowa customers then WCTA must implement wireless LNP for its Minnesota customers on the same schedule.

P-515/AM-04-574

In the Matter of the Petition by Interstate Telecommunications Cooperative, Inc. for a Suspension or Modification of Local Number Portability Obligations Pursuant to 47 U.S.C. § 251(f)(2)

- Approve the Department's recommendation to suspend the LNP obligations of Interstate Telecommunications Cooperative, Inc., for six months.

P-533,562/AM-04-655

In the Matter of the Petition by Sioux Valley Telephone Company and Hills Telephone Company, Inc., for Suspension or Modification of Local Number Portability Obligations Pursuant to 47 U.S.C. § 251(f)(2)

- Approve the Department's recommendation to suspend the LNP obligations of Sioux Valley Telephone Company and Hills Telephone Company, Inc., for six months, provided that if the South Dakota Public Utilities Commission directs the companies to implement wireless LNP for its Iowa customers then the companies must implement wireless LNP for its Minnesota customers on the same schedule.

The motion passed 3-0.

P-527/EM-04-664

In the Matter of the Petition by Gardonville Cooperative Telephone Association for Suspension or Modification of Local Number Portability Obligations Pursuant to 47 U.S.C. §251(f)(2)

Commissioner Johnson moved to approve the Department's recommendation to approve the Department's recommendation to –

- Approve the Department's recommendation to suspend the LNP obligations of Gardonville Cooperative Telephone Association (Gardonville) for six months.
- during the six-month period, proceed on Gardonville's request to suspend its LNP obligations beyond the six-month period.

Commissioner Reha proposed to amend the motion to authorize the Executive Secretary to establish the procedures for investigation and review of this matter. Commissioner Johnson accepted the amendment.

The amended motion passed 3-0.

P-et al/M-04-707

In the Matter of the Petition by the Minnesota Independent Coalition for Suspension or Modification of Local Number Portability Obligations Pursuant to 47 U.S.C. Section 251(f)(2)

Commissioner Reha moved to grant the petition of the Minnesota Independent Coalition's members for temporary suspension of their LPN obligations consistent with the time frames set forth in the petition pending further action.

The motion passed 3-0.

There being no further business, the meeting was adjourned.

APPROVED BY THE COMMISSION: JUNE 2, 2004

Burl W. Haar, Executive Secretary