

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

FOR THE MINNESOTA PUBLIC UTILITIES COMMISSION

In the Matter of the Complaint of
PrairieWave Telecommunications, Inc.,
Against AT&T Communications of the
Midwest, Inc.

**ORDER SUBMITTING
SETTLEMENT**

On December 4, 2006, two of the parties to this matter, PrairieWave and AT&T, filed their Joint Motion to Withdraw Counterclaim and Approve Settlement Agreement of the Parties. The Settlement Agreement was also filed. On December 5, 2006, a replacement for one page of the Settlement Agreement was filed. Copies of all these were sent to counsel for the Department. No person has filed any objection to the Motion.

The following appearances have been made in this matter:

William P. Heaston, General Counsel and Patrick J. Mastel, Senior Counsel, PrairieWave Telecommunications, Inc., 5100 S. Broadband Lane, Sioux Falls, S. D. 57108 for PrairieWave.

Rebecca B. DeCook, Holland & Hart, 8390 East Crescent Parkway, Suite 400, Greenwood Village, CO 80111 and Letty S.D. Friesen, AT&T, 2535 East 40th Avenue, Room B1223, Denver, CO 80205 for AT&T.

Linda S. Jensen, Assistant Attorney General, 1400 Bremer Tower, 445 Minnesota Street, St. Paul, MN 55101-2131, appeared on behalf of the Minnesota Department Commerce (Commerce).

Based upon the foregoing, the Administrative Law Judge makes the following:

ORDER

Pursuant to the provisions of Minn. Stat. § 237.076 (2006), the settlement agreed to by two of the parties is submitted to the Minnesota Public Utilities Commission for further action.

Dated this 14th day of December 2006.

s/Allan W. Klein

ALLAN W. KLEIN

Administrative Law Judge