

Service Date: April 28, 2004

DEPARTMENT OF PUBLIC SERVICE REGULATION  
BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MONTANA

4/13/2004

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IN THE MATTER OF INTERBEL TELEPHONE COOPERATIVE, INC., ... [application for ETC status]	) ) )	UTILITY DIVISION DOCKET NO. D2000.5.64
IN THE MATTER OF 3 RIVERS TELEPHONE COOPERATIVE, INC., ... [application for ETC status]	) ) )	UTILITY DIVISION DOCKET NO. D2003.2.23
IN THE MATTER OF WWC HOLDING CO., ... [application for ETC status]	) )	UTILITY DIVISION DOCKET NO. D2003.1.14
IN THE MATTER OF CABLE AND COMMUNICATIONS CORPORATION, ... [application for ETC status]	) ) )	UTILITY DIVISION DOCKET NO. D2003.8.105 ✓
IN THE MATTER OF 3 RIVERS PCS, INC., ... [application for ETC status]	) )	UTILITY DIVISION DOCKET NO. D2003.10.156
IN THE MATTER OF INTERBEL WIRELESS, INC., ... [application for ETC status]	) )	UTILITY DIVISION DOCKET NO. D2004.1.5
IN THE MATTER OF TRIANGLE COMMUNICATION SYSTEM, INC., ... [application for ETC status]	) ) )	UTILITY DIVISION DOCKET NO. D2004.1.6
IN THE MATTER OF SAGEBRUSH CELLULAR, INC., ... [application for ETC status]	) ) )	UTILITY DIVISION DOCKET NO. D2004.1.7
IN THE MATTER OF NORTHERN COMMUNICATIONS, INC., ... [application for ETC status]	) ) )	UTILITY DIVISION DOCKET NO. D2004.1.8

**NOTICE OF COMMISSION ACTION DENYING MOTIONS  
FOR STAY OR SUSPENSION OF ETC PROCEEDINGS**

On February 13, 2004, Montana Independent Telecommunications Systems (MITS) and

Montana Telecommunications Association (MTA) filed before the Public Service Commission (PSC) a motion to stay (or suspend) PSC proceedings relating to designation of carriers as eligible telecommunications carriers (ETCs) in rural areas pending PSC consideration of a MITS and MTA petition for rulemaking on ETC public interest rules. On March 9, 2004, MITS filed a motion to stay all PSC ETC-designation proceedings pending Federal Communications Commission (FCC) action on a recent Federal-State Joint Board on Universal Service (joint board) recommended decision related to ETCs.

The PSC denies the MITS/MTA and MITS motions for stay. The PSC determines there is no compelling reason to stay the pending ETC proceedings. The timing of the petition for rulemaking is not good, as several ETC proceedings are well underway. It would be inappropriate to stay such proceedings at this time or stay some, but not all. The PSC will pursue, with some qualifications, the rulemaking proposed by MITS and MTA. The FCC will eventually act on the joint board recommended decision. It is the intent of the PSC that the resulting PSC rules will apply to future ETC designations and to maintenance of ETC status that has already granted. Ultimately all prospective and existing ETCs would be required to comply with the rules.

Done and dated this 13th day of April, 2004, by a vote of 5-0.

BY THE MONTANA PUBLIC SERVICE COMMISSION

BOB ROWE, Chairman  
THOMAS J. SCHNEIDER, Vice-Chairman  
MATT BRAINARD, Commissioner  
GREG JERGESON, Commissioner  
JAY STOVALL, Commissioner