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September 10, 2004

Via ECFS
Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: *Notice of ex parte presentation - CC Docket No. 96-45 (North Dakota Partnerships' Petition for Concurrence with Redefinition)*

Dear Ms. Dortch:

This is to advise you of four ex parte meetings that were held on September 8 and 9, 2004, regarding the petition in the above-referenced docket seeking the Commission's agreement, under 47 U.S.C. section 214(e)(5), with the North Dakota Public Service Commission's ("NDPSC") decision to redefine the service area requirement in connection with its grant of eligible telecommunications carriers ("ETC") status to six Petitioners[1] throughout their respective licensed service areas in the state of North Dakota. On September 8, the undersigned, representing the Petitioners, met with Barry Ohlson, senior legal advisor, and Scott Bergmann, legal advisor, in the office of Commissioner Jonathan Adelstein. On September 9, Mark Smith, Director of Financial Reporting and Partnership Relations for Verizon Wireless, representing the Petitioners; Mark Ayotte of Briggs & Morgan, PA, state counsel to the Petitioners, and the undersigned met in separate meetings with: (1) from the Wireline Competition Bureau, Jeffrey Carlisle, Chief; Richard Lerner, Acting Deputy Chief; Diane Griffin, Assistant Chief; Narda Jones, Chief, Telecommunications Access Policy ("TAPD"); and Anita Cheng, Assistant Chief, TAPD; (2) from Commissioner Michael Copps's office, Jessica Rosenworcel, Legal Advisor; (3) from Commissioner Kevin Martin's office, Samuel Feder, Legal Advisor. In addition, today the undersigned had a telephone conversation with Matthew Brill, senior legal advisor to Commissioner Kathleen Abernathy.

[1] Northwest Dakota Cellular of North Dakota Limited Partnership; North Central RSA 2 of North Dakota Limited Partnership; North Dakota RSA No. 3 of North Dakota Limited Partnership; Badlands Cellular of North Dakota Limited Partnership; North Dakota 5 – Kidder Limited Partnership; and Bismarck MSA Limited Partnership.

In all these meetings, the Petitioners discussed the ownership structure of the Petitioners and the controlling interests held by rural local exchange carriers ("LECs") in North Dakota. We also discussed the unique nature of the Petition due to the stipulations from the affected rural LECs that were entered in the state proceeding, and the lack of opposition to the Petition in the proceeding before the FCC. Consistent with prior filings, we explained how the petition is consistent with the Commission's prior pronouncements regarding ETC designation. We also explained that the state commission's orders granted redefinition of the service area requirement to conform to Petitioners' cellular license area boundaries, such that any other competitive ETC applicant that was not also a licensee in the Cellular Radiotelephone Service would have to seek a different redefinition of the service area requirement to conform to its differing license boundaries. On the basis of the foregoing, we argued that no further action was necessary with respect to the Petition.

In accordance with the Commission's ex parte rules, this letter is being filed electronically in the above-referenced docket. Please direct any questions regarding this filing to the undersigned.

Sincerely,

WILKINSON BARKER KNAUER, LLP

By: /s/
L. Charles Keller

cc: Matthew Brill
Jessica Rosenworcel
Samuel Feder
Jeffrey Carlisle
Richard Lerner
Diane Griffin
Narda Jones
Anita Cheng