

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Federal-State Joint Board on)	
Universal Service)	CC Docket No. 96-45
Triangle Communication System, Inc.)	DA 07-4719
Petition for FCC agreement to)	
Redefine the Study Areas of Two Rural)	
Telephone Companies in Montana)	

COMMENTS OF TRIANGLE COMMUNICATION SYSTEM, INC.

Triangle Communication System, Inc. (“TCS”), by its attorneys, hereby files comments in response to the Federal Communications Commission’s (“FCC” or “Commission”) Public Notice in the above-captioned proceeding.¹ For the reasons set forth in its above-captioned Petition and in its subsequent filings in this proceeding,² TCS submits that the Commission should concur with the decision of the Montana Public Service Commission (“MPSC”) to redefine certain wire centers as separate service areas of two rural telephone companies: Triangle Telephone Cooperative Association, Inc. (“TTCA”) and Central Montana Communications, Inc. (“CMC”). TCS also advises the Commission that on December 14, 2007, the Montana Telecommunications Association (“MTA”) filed in the First Judicial Court of the

¹ *Initiation of a Proceeding to Consider a Petition to Redefine Certain Rural Telephone Company Service Areas in the State of Montana*, Public Notice, DA 07-4719 (November 26, 2007).

² *See, e.g.*, August 17, 2007 TCS Petition for Redefinition; September 28, 2007 TCS Letter to Ms. Marlene Dortch, CC Docket No. 96-45. *See also* October 15, 2007 TCS Reply Comments filed pursuant to the FCC’s previous Public Notice on this matter (*Comment Sought on a Petition by Triangle Communications System, Inc. to Redefine the Service Areas of Certain Rural Incumbent Local Exchange Carriers in Montana*, Public Notice, DA 07-3791 (August 29, 2007)) and November 16, 2007 TCS Letter to Ms. Marlene Dortch, CC Docket No. 96-45.

State of Montana a Motion to Withdraw its Petition for Judicial Review of the MPSC decision.³

Accordingly, an expeditious FCC concurrence with the MPSC's reasoned redefinition decision is in order.

TCS reminds the Commission that this issue has been thoroughly vetted at the MPSC and briefed at the FCC.⁴ The MPSC, which is in the best position to determine the public interest ramifications in Montana of TCS's redefinition request, has unanimously ruled – once with the issuance of its final order and again with its subsequent affirmation on reconsideration – that TCS's redefinition of the TTCA and CMC study areas is in the public interest.⁵ The MPSC's order is final and no longer subject to challenge. Accordingly, TCS requests that the FCC agree with the MPSC decision and conclude this proceeding as soon as possible.

Respectfully submitted,

Triangle Communication System, Inc.

By: _____/s/_____

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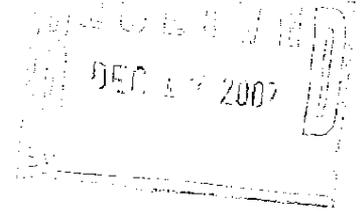
Dated: December 26, 2007

³ See Attachment 1 (December 14, 2007 MTA Motion to Withdraw Petition for Judicial Review).

⁴ See footnote 2, *supra*.

⁵ On November 8, 2007, the MPSC reiterated its confidence that TCS's ETC designation is in the public interest. See November 8, 2007 Montana Public Service Commission letter to Ms. Marlene Dortch, CC docket No. 96-45, DA 07-3791.

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**IN THE FIRST JUDICIAL DISTRICT OF THE STATE OF MONTANA
 LEWIS AND CLARK COUNTY**

MONTANA TELECOMMUNICATIONS ASSOCIATION,)	Cause No.: BDV-2007-964
)	
Petitioner,)	
)	
v.)	
)	<u>PETITIONER'S MOTION</u>
MONTANA DEPARTMENT OF PUBLIC SERVICE REGULATION, MONTANA PUBLIC SERVICE COMMISSION,)	<u>TO WITHDRAW PETITION</u>
)	<u>FOR JUDICIAL REVIEW</u>
)	
Respondent.)	
_____)	

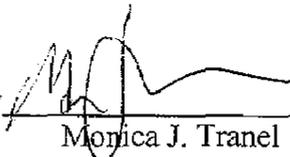
COMES NOW the Montana Telecommunications Association ("MTA"), the above named Petitioner, and submits its unopposed motion to withdraw the Petition for Judicial Review filed in this matter. Counsel for the Montana Department of Public Service Regulation, Montana Public Service Commission, and for Triangle Communications Systems, Inc., a Respondent and intervenor, have been contacted regarding this motion and have no objection thereto.

WHEREFORE the Petitioner requests that an Order be entered dismissing its
Petition for Judicial Review in the above captioned matter.

Respectfully submitted this 14 day of December, 2007.

JARDINE, MORRIS & TRANEL, PLLC

By



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CERTIFICATE OF SERVICE

I hereby certify that on December 14, 2007, a copy of the foregoing document was served on the following persons by the following means:

Hand Deliver

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Overnight Delivery Service

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MONTANA TELECOMMUNICATIONS ASSOCIATION,)	Cause No.: BDV-2007-964
)	
Petitioner,)	
)	
v.)	
)	
MONTANA DEPARTMENT OF PUBLIC SERVICE REGULATION, MONTANA PUBLIC SERVICE COMMISSION,)	
)	<u>ORDER</u>
Respondent.)	
_____)	

The Petitioner in the above captioned matter having filed a motion to withdraw its Petition, and the Respondents having no objection thereto,

IT IS HEREBY ORDERED:

The Petitioner's motion is GRANTED and the above captioned Petition for Judicial Review is hereby dismissed.

By _____
DISTRICT JUDGE