

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Public Service Commission  
Universal Service - FCC  
PSC Comments/Letters**

**Case No. PU-439-96-149**

**ORDER**

**November 19, 1997**

**Appearances**

**Commissioners Reinbold, Hagen and Wefald**

**William Binek, Commission Counsel** for the Public Service Commission, State Capitol, 12th Floor, Bismarck, ND 58505, appearing as **Hearing Officer**.

**Patrick Fahn, Chief Engineer**, Public Service Commission State Capitol, Bismarck, ND 58505, appearing for the **Public Service Commission Staff**.

**Charles E. Johnson, Commission Counsel** for the Public Service Commission, State Capitol, 12th Floor, Bismarck, ND 58505, **appearing on behalf of the Public Service Commission**.

**Preliminary Statement**

On July 16, 1997, the North Dakota Public Service Commission issued its notice of proposed rules and public hearing, proposing to revise the Administrative Code as follows:

The Commission proposed revisions to Article 69-09 pertaining to universal service support for telecommunication discounts for schools and libraries. The proposed rule adopts by reference the Code of Federal Regulations, Title 47, Part 54, Subpart F – Universal Service Support for Schools and Libraries as adopted by the Federal Communications Commission in case FCC 97-157, released May 8, 1997, and amended in case FCC 97-246, released July 10, 1997. By adopting all of Subpart F, the Commission is adopting intrastate universal service support for schools and libraries at the same level of discount adopted by the FCC for interstate telecommunications services.

A public hearing on this proposal was noticed for and held at 1:30 p.m. October 13, 1997. No comments were received. Commission staff testified in support of the proposal. After the hearing a period of 30 days was allowed for the filing of additional comments. No additional comments were received.

### **Order**

The Commission orders that the attached proposed rules be submitted to the Attorney General for an opinion that the rules are in compliance with N.D.C.C. § 28-32-02, do not conflict with any provisions of existing state law or rules, and are hereby approved as to their legality.

### **PUBLIC SERVICE COMMISSION**

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**Bruce Hagen**  
**Commissioner**

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**Leo M. Reinbold**  
**President**

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**Susan Wefald**  
**Commissioner**