

March 16, 2016

Mr. Daniel P. Wolf
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101

Re: In the Matter of the Joint Application for Approval of an Adoption of the Interconnection and Traffic Exchange Agreement by Hiawatha Broadband Communications, Inc. and Embarq Minnesota, Inc. d/b/a CenturyLink

Dear Mr. Wolf:

Enclosed for filing is the Adoption Letter for a previously-approved Interconnection Agreement between Hiawatha Broadband Communications, Inc. and Embarq Minnesota, Inc. d/b/a CenturyLink.

If you have any questions or require additional information, please do not hesitate to contact me. Thank you for your consideration.

Very truly yours,

/s/ Jason D. Topp

Jason D. Topp

JDT/bardm

Enclosures

cc: Service List

STATE OF MINNESOTA
BEFORE THE PUBLIC UTILITIES COMMISSION

Beverly Jones Heydinger	Chair
Nancy Lange	Commissioner
Dan Lipschultz	Commissioner
Matt Schuerger	Commissioner
John Tuma	Commissioner

In the Matter of the Joint Application by Hiawatha
Broadband Communications, Inc. and Embarq
Minnesota, Inc. d/b/a CenturyLink for Approval of
Agreement to Adopt Arbitrated Interconnection and
Traffic Exchange Agreement Under the Federal
Telecommunications Act of 1996, Section 252(i)

Docket No. _____

**JOINT APPLICATION FOR APPROVAL
OF INTERCONNECTION AGREEMENT UNDER § 252(i)**

Hiawatha Broadband Communications, Inc. (“HBC”) and Embarq Minnesota, Inc.
d/b/a CenturyLink (“CenturyLink”) hereby submit to the Minnesota Public Utilities
Commission (“Commission”) this Application for approval of the enclosed Negotiated
Interconnection and Traffic Exchange Agreement (“Agreement”) executed March 10, 2016,
between HBC and CenturyLink. In support of this Application, the parties state as follows:

I.

HBC is incorporated in the State of Minnesota and received certification with the
State of Minnesota on March 20, 2000.

II.

CenturyLink is a Minnesota corporation and an incumbent local exchange carrier in
Minnesota.

III.

On March 10, 2016, HBC and CenturyLink entered into an Agreement pursuant to § 252(i) of the Telecommunications Act of 1996 to adopt the interconnection agreement between CenturyLink and Hutchinson Telecommunications Inc. The Agreement is premised upon CenturyLink's agreement with Hutchinson Telecommunications Inc., approved by the Commission on August 21, 2015, in Docket No. P-5561, 430/IC-14-189. This Agreement is submitted for approval pursuant to § 252(e) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996 ("Act"). A copy of the Agreement is attached.

IV.

In accordance with §252(e) of the Act, the parties submit that this Agreement provides no basis for a finding of discrimination or contravention of the public interest.

First, the Agreement does not discriminate against any other telecommunications carrier. Further, CenturyLink is offering the same terms contained in the Agreement to all other interested carriers.

Second, the Agreement is consistent with the public interest as identified in the pro-competitive policies of the Commission, the State of Minnesota, the FCC, and the United States Congress. The Agreement will permit resale of CenturyLink's services consistent with the Act and the rules and regulations of this Commission. Expedient approval of the Agreement will facilitate immediate competition in CenturyLink's local exchange services in Minnesota.

V.

In the interests of bringing the benefits of this agreement to the telecommunications customers of Minnesota as soon as possible, CenturyLink and HBC request the Commission issue its order approving the Agreement at the earliest possible date.

VI.

All communications regarding this Application should be addressed to the following representatives:

CenturyLink:

Jason D. Topp
CenturyLink
200 South Fifth Street, Room 2200
Minneapolis, MN 55402
(651) 312-5364

Director – Wholesale Contracts
CenturyLink
930 15th Street, 6th Floor
Denver, CO 80202
(303) 672-2879

CenturyLink Legal Department
Wholesale Interconnection
1801 California Street, 9th Floor
Denver, CO 80202
(303) 383-6553

Hiawatha Broadband Communications, Inc.:

Dan Pecarina, CEO/President
Hiawatha Broadband Communications, Inc.
58 Johnson Street
Winona, MN 55987
(507) 474-5870

Minnesota Public Utilities Commission
Executive Secretary
121 Seventh Place East, Suite 350
St. Paul, MN 55101-2147

CONCLUSION

For the foregoing reasons, HBC and CenturyLink respectfully request that the Commission expeditiously process this matter and issue an order granting the Joint Application in its entirety.

Dated: March 16, 2016

Respectfully submitted,

By /s/ Jason D. Topp
Jason D. Topp
CenturyLink
200 South Fifth Street, Room 2200
Minneapolis, MN 55402
(651) 312-5364

**STATE OF MINNESOTA
BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION**

Beverly Jones Heydinger	Chair
Nancy Lange	Commissioner
Dan Lipschultz	Commissioner
Matt Schuerger	Commissioner
John Tuma	Commissioner

Re: In the Matter of the Joint Application by Hiawatha Broadband Communications, Inc. and Embarq Minnesota, Inc. d/b/a CenturyLink for Approval of Agreement to Adopt Arbitrated Interconnection and Traffic Exchange Agreement Under the Federal Telecommunications Act of 1996, Section 252(i)

AFFIDAVIT OF SERVICE

STATE OF MINNESOTA)
) ss
COUNTY OF HENNEPIN)

Dianne Barthel, being first duly sworn, deposes and says:

That on the 16th day of March, 2016, at the City of Minneapolis, State of Minnesota, she served the annexed filing on the parties on the attached service list as follows:

_____ by depositing in the United States Mail at the City of Minneapolis, State of Minnesota, a true and correct copy thereof, properly enveloped with postage prepaid.

 X Electronically.

/s/ Dianne Barthel
Dianne Barthel

Subscribed and sworn to before me
this 16th day of March, 2016.

/s/ LeAnn M. Cammarata
Notary Public

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Linda	Chavez	linda.chavez@state.mn.us	Department of Commerce	85 7th Place E Ste 500 Saint Paul, MN 55101-2198	Electronic Service	No	GEN_SL_Embarq Minnesota, Inc. dba CenturyLink_CenturyLink- HBC ICA
Jeffrey T.	Nodland	JEFF.NODLAND@CENTURYLINK.COM	CenturyLink	1801 California St FL 10 Denver, CO 80202	Electronic Service	No	GEN_SL_Embarq Minnesota, Inc. dba CenturyLink_CenturyLink- HBC ICA
Dan	Pecarina	dpecarina@exchange.hbc.com	Hiawatha Broadband Communications, Inc	58 Johnson St Winona, MN 55987	Electronic Service	No	GEN_SL_Embarq Minnesota, Inc. dba CenturyLink_CenturyLink- HBC ICA
Jason	Topp	jason.topp@centurylink.com	CenturyLink	200 S 5th St Ste 2200 Minneapolis, MN 55402	Electronic Service	No	GEN_SL_Embarq Minnesota, Inc. dba CenturyLink_CenturyLink- HBC ICA
Daniel P	Wolf	dan.wolf@state.mn.us	Public Utilities Commission	121 7th Place East Suite 350 St. Paul, MN 551012147	Electronic Service	No	GEN_SL_Embarq Minnesota, Inc. dba CenturyLink_CenturyLink- HBC ICA



**Adoption of the
Interconnection Agreement**

By

Hiawatha Broadband Communications, Inc.

**Adopting the
Traffic Exchange Agreement**

Between

Embarq Minnesota, Inc. d/b/a CenturyLink

And

Hutchinson Telecommunications

For the State of Minnesota

CDS-160229-0002

Adoption of the Traffic Exchange Agreement

This Adoption of the Traffic Exchange Agreement ("Agreement") is entered into by and between Embarq Minnesota, Inc. d/b/a CenturyLink ("CenturyLink") and Hiawatha Broadband Communications, Inc.

("CLEC"), each of which may be referred to herein as "Party", or collectively as "the Parties", to establish the terms, conditions and rates for local interconnection and the exchange of Local traffic for the State of Minnesota.

NOW THEREFORE, the Parties agree as follows:

1. ADOPTED AGREEMENT

- 1.1 This Agreement between the Parties shall consist of the Traffic Exchange Agreement entered into by and between Embarq Minnesota, Inc. d/b/a CenturyLink and Hutchinson Telecommunications, Inc., that was signed July 16, 2015 ("Adopted Agreement").
- 1.2 This Agreement is made a part of and incorporates the terms and conditions of the Adopted Agreement, including all amendments to that Adopted Agreement (the "Terms").
- 1.3 Except as set forth herein, the Adopted Agreement remains unchanged and in full force and effect. In the event of a conflict between the Terms of the Adopted Agreement and this Agreement, this Agreement will control.

2. PARTY

For the purposes of this Agreement, CLEC is hereby substituted in the Adopted Agreement for Hutchinson Telecommunications, Inc.

3. PROVISIONS

- 3.1 The Terms of the Hutchinson Telecommunications, Inc. Agreement are being adopted in its entirety by CLEC pursuant to CLEC's statutory rights under Section 252(i). The filing and performance by CenturyLink of the Terms does not in any way constitute a waiver by CenturyLink of any position as to the Terms or a portion thereof, nor does it constitute a waiver by CenturyLink of any or all rights and remedies it may have to seek review of the Terms, or to seek review in any way of any provisions included in these Terms as a result of CLEC's 252(i) election.
- 3.2 Should CLEC attempt to apply the adopted Terms in a manner that conflicts with the provisions set forth herein, CenturyLink reserves its rights to seek appropriate legal and/or equitable relief.
- 3.3 CLEC understands that it is providing a representation and warrants that it is complying with all provisions of the Adopted Agreement as of the effective date of the adoption.

4. EFFECTIVE DATE AND TERM

- 4.1 This Agreement, if an initial Agreement shall become effective on the date of Commission Approval ("Effective Date"); however the Parties may agree to implement the provisions of this Agreement upon execution by both Parties. However, the initiation of a new account, any new provision of service or obligation or any revision to currently existing services or obligations may take up to 60 days to accommodate any required initial processes.
- 4.2 In the event that the Parties currently have an existing Interconnection Agreement, this Agreement shall replace the existing Interconnection Agreement in its entirety beginning on the Effective Date. However, nothing relieves the Parties from fulfilling all obligations incurred under that prior Interconnection Agreement.

4.3 The expiration date of this Adoption Agreement shall be the same as the expiration date of the agreement that is being adopted, which is July 16, 2018.

5. NOTICES

Except as otherwise provided, all notices and communication hereunder will be deemed to have been duly given when made in writing and delivered in person or deposited in the U.S. mail, certified, postage paid, return receipt requested, and addressed as follows:

To CenturyLink:

CenturyLink
Director Wholesale Contracts
930 15th Street, 6th Floor
Denver, CO 80202
Phone: 303-672-2879
Email: intagree@centurylink.com

With Copy to:

CenturyLink Legal Department
Wholesale Interconnection
1801 California Street, 9th Floor
Denver, CO 80202
Phone: 303-383-6553
Email: legal.interconnection@centurylink.com

To CLEC:


Dan Pecarina
Hiawatha Broadband Communications, Inc.
CEO/President
58 Johnson St.
Phone: (507) 474-5870
Email: dpecarina@exchange.hbci.com

6. REGULATORY REQUIREMENTS

- 6.1 CLEC represents and warrants that it is authorized to provide telecommunications services in the State of Minnesota.
- 6.2 The Parties will cooperate to file this Agreement with the Commission for approval and complete all attendant requirements of the Commission for such approval.

IN WITNESS WHEREOF, CLEC and CenturyLink have caused this Agreement to be executed by their respective duly authorized representatives.

DocuSigned by:
Hiawatha Broadband Communications, Inc.


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Signature

Dan Pecarina
Printed Name

CEO/President
Title

3/10/2016
Date

DocuSigned by:
Embark Minnesota, Inc. d/b/a CenturyLink


766DEF6A149A455

Signature

Diane Roth
Printed Name

Director – Wholesale
Title

3/10/2016
Date