



**Jason D. Topp**  
Associate General Counsel - Regulatory  
(651) 312-5364

March 17, 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 Agreement by Hiawatha Broadband Communications, Inc. and  
CenturyTel of 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 CenturyTel of 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

200 South 5<sup>th</sup> Street, Room 2200  
Minneapolis, MN 55402  
[www.centurylink.com](http://www.centurylink.com)

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 CenturyTel of 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 CenturyTel of 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 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 CenturyTel of Minnesota, Inc. d/b/a CenturyLink and US Link Inc. d/b/a TDS Metrocom. The Agreement is premised upon CenturyTel of Minnesota d/b/a CenturyLink's agreement with US Link, Inc. d/b/a TDS Metrocom approved by the Commission on April 8, 2014, in Docket No. P-465, 551/IC-14-194. 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 15<sup>th</sup> Street, 6<sup>th</sup> Floor  
Denver, CO 80202  
(303) 672-2879

CenturyLink Legal Department  
Wholesale Interconnection  
1801 California Street, 9<sup>th</sup> 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 CenturyTel of 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 17th 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 17th 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_CenturyTel of 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_CenturyTel of Minnesota, Inc. dba CenturyLink_CenturyLink- HBC ICA
Dan	Pecarina	dpecarina@exchange.hbcicom	Hiawatha Broadband Communications, Inc	58 Johnson St Winona, MN 55987	Electronic Service	No	GEN_SL_CenturyTel of 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_CenturyTel of 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_CenturyTel of Minnesota, Inc. dba CenturyLink_CenturyLink- HBC ICA



**Adoption of the  
Interconnection Agreement**

**By**

**Hiawatha Broadband Communications, Inc.**

**Adopting the  
Interconnection Agreement**

**Between**

**CenturyTel of Minnesota, Inc. d/b/a CenturyLink**

**And**

**US Link Inc., d/b/a TDS Metrocom**

**For the State of Minnesota**

**CDS-160302-0001**

## Adoption of the Interconnection Agreement

This Adoption of the Interconnection Agreement ("Agreement") is entered into by and between CenturyTel of 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 Interconnection Agreement entered into by and between CenturyTel of Minnesota, Inc. d/b/a CenturyLink and US Link Inc., d/b/a TDS Metrocom that was approved by the Commission in April 8, 2014 ("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 Hutchison Telecommunications, Inc.

### 3. PROVISIONS

- 3.1 The Terms of the US Link Inc., d/b/a TDS Metrocom 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 March 24, 2017.

**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](mailto: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](mailto: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](mailto: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.**

  
182A462539B141D  
\_\_\_\_\_  
Signature

Dan Pecarina  
Printed Name

CEO/President  
Title

3/10/2016  
Date

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

  
766DFE6A149A455  
\_\_\_\_\_  
Signature

Diane Roth  
Printed Name

Director – Wholesale  
Title

3/10/2016  
Date