

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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Docket No. 04M-129T ✓

JUL 26 2004

IN THE MATTER OF BIG SANDY TELECOM, INC.'S PETITION FOR
SUSPENSION OF LNP REQUIREMENTS

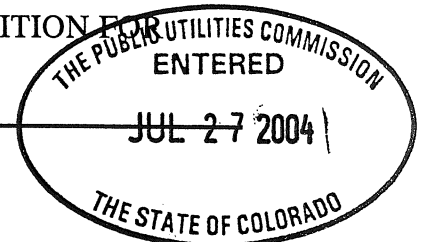
PUBLIC UTILITIES COMMISSION
STATE OF COLORADO

Docket No. 04M-130T

IN THE MATTER SUNFLOWER TELEPHONE COMPANY, INC.'S PETITION
FOR SUSPENSION OF LNP REQUIREMENTS

Docket No. 04M-131T

IN THE MATTER COLUMBINE TELEPHONE COMPANY'S PETITION FOR
SUSPENSION OF LNP REQUIREMENTS



STIPULATION AND SETTLEMENT

Recitals

A. On March 19, 2004, Big Sandy Telecom Inc. ("Big Sandy"), Columbine Telephone Company ("Columbine") and Sunflower Telephone Company, Inc. ("Sunflower") (collectively, "Rural ILECs") petitioned this Commission to suspend the Federal Communications Commission's ("FCC") wireline to wireless local number portability ("intermodal LNP") obligations pursuant to Section 251 (f)(2) of the Communications Act of 1934, as amended. The Rural ILECs argued that intermodal LNP implementation by the May 24, 2004 FCC-imposed deadline was technically infeasible, economically burdensome, and not in the public interest

B. WWC Holding Co., Inc. ("Western Wireless") and Northeast Colorado Cellular Corp. ("NECC") (collectively, the "Wireless Carriers") filed interventions in

these dockets (Western Wireless in Big Sandy, Columbine and Sunflower; NECC in Sunflower), which were ultimately granted by the Commission.

D. In its orders mailed June 9, 2004, the Commission set the above-referenced dockets for hearing.

After conferring together on the issues, the Rural ILECs and the Wireless Carriers have reached this Stipulation and Settlement ("Stipulation") as to the following terms and the Rural ILEC's intermodal LNP implementation schedule:

Agreement

1. By December 31, 2004, or six months following the receipt of a bona fide request from Western Wireless (which Big Sandy agrees not to challenge as to form), whichever date is later, Big Sandy will make intermodal LNP available to Western Wireless.
2. By December 31, 2004, or six months following the receipt of a bona fide request from either Wireless Carrier (which Sunflower agrees not to challenge as to form), whichever is later, Sunflower will make intermodal LNP available to the Wireless Carriers.
3. By December 31, 2004, or six months following the receipt of a bona fide request from either Wireless Carrier (which Columbine agrees not to challenge as to form), whichever is later, Columbine will make intermodal LNP available to the Wireless Carriers having wireless coverage that overlaps Columbine's service area.
4. The Parties agree that the Commission retains jurisdiction over this matter until Local Number Portability is implemented by the Rural ILECs, and agree

that these dockets should remain open until that time, except that the Columbine docket may be closed after December 31, 2004 if neither Wireless Carrier makes a bona fide request to Columbine by that date.

5. The Parties agree that the terms and conditions agreed to in this Stipulation, including the implementation schedules, shall survive the closure of one or more of the related LNP proceedings by the Commission, and that all Parties retain the right to take any action necessary to enforce the terms of this Stipulation.

6. Nothing in this Stipulation is intended to alter the Parties responsibilities to properly route telecommunications traffic, or to create an obligation of any Party to alter its current means of interconnection with other Parties to this Stipulation.

DATED and AGREED to this 26th day of July, 2004.

BIG SANDY TELECOM, INC.

COLUMBINE TELEPHONE COMPANY

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INC.

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