



## Affidavit of Publication

Colleen Park, being duly sworn, states as follows:

1. I am the designated agent, under the provisions and for the purposes of, Section 31-04-06, NDCC, for the newspapers listed on the attached exhibits.
2. The newspapers listed on the exhibits published the advertisement of: **ND Health Department – Nitrogen Oxide Best Available Retrofit Technology; 1 time(s)** as required by law or ordinance.
3. All of the listed newspapers are legal newspapers in the State of North Dakota and, under the provisions of Section 46-05-01, NDCC, are qualified to publish any public notice or any matter required by law or ordinance to be printed or published in a newspaper in North Dakota.

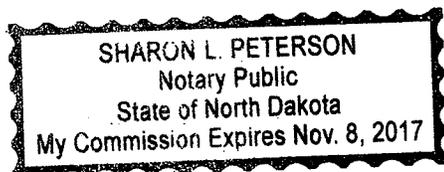
Signed: Colleen Park

State of North Dakota

County of Burleigh

Subscribed and sworn to before me this 25 day of October, 20 12

Sharon L. Peterson



mobile radio service (CMRS) carrier in North Dakota - wire centers - currently served by Qwest Corporation and SRT Communications, Inc.

The issues to be considered in this matter are:

1. Is the applicant qualified under the Telecommunications Act of 1996, Section 214(e) for designation as an ETC eligible to receive federal universal service funding?
2. What ETC universal service support area should be designated?
3. Is designation of the applicant as an ETC in the public interest?

Those interested are invited to comment on the application in writing. Persons desiring a hearing must file a written request identifying their interest in the proceeding and the reasons for requesting a hearing. Comments and requests for hearing must be received by October 26, 2012. If deemed appropriate, the Commission can determine the matter without a formal hearing.

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials please notify Darrell Nitschke, Executive Secretary.

PUBLIC SERVICE COMMISSION  
Kevin Cramer, Commissioner  
Brian P. Kalk, Chairman  
Bonny M. Fetch, Commissioner  
(September 24, 2012) 1558993

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION  
Midcontinent Communications/North Dakota Telephone Company  
Interconnection Agreement  
Amendment  
Application**

Case No. PU-12-723  
**NOTICE OF OPPORTUNITY FOR COMMENT**  
September 12, 2012

On September 4, 2012, Midcontinent Communications (Midcontinent) entered into an interconnection agreement amendment with North Dakota Telephone Company (NDTC) pursuant to Section 251 of the Telecommunications Act of 1996 (Act). The agreement amendment sets forth terms and conditions under which NDTC will provide interconnection services, exchange of traffic, number portability, ancillary services and wholesale services for resale to Midcontinent in the Drake, Anamoose, and Fessenden, North Dakota exchanges. The agreement was filed with the Commission on September 5, 2012.

On September 5, 2012, Midcontinent filed a request for approval of the interconnection agreement in less than 90 days pursuant to 47 U.S.C. § 252(e)(1).

This agreement was filed under Section 252(e) of the Telecommunications Act of 1996. The Act requires that any agreement adopted by negotiation or arbitration be submitted for approval to the Commission. Under 47 U.S.C. § 252(e)(2)(A), the Commission may only reject an agreement adopted by negotiation (or a portion of the agreement) if it finds that:

1. the agreement discriminates against a telecommunications carrier that was not a party to the agreement; or
2. implementation of the agreement is not consistent with the public interest, convenience, and necessity.

In addition, under 47 U.S.C. Section 253 the Commission may include, in its review, state requirements that do not constitute barriers to entry.

The Commission will receive written comments on this agreement until October 24, 2012.

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials, please notify the Commission.

PUBLIC SERVICE COMMISSION  
Kevin Cramer, Commissioner  
Brian P. Kalk, Chairman  
Bonny M. Fetch, Commissioner  
(September 24, 2012) 1558999

your interest in the proceeding and the reasons for requesting a hearing. Comments and requests for hearings must be received by close of business on October 26, 2012.

For more information or copies of documents in these proceedings, contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400 or 877-245-6685 (toll free in North Dakota), or Relay North Dakota 1-800-366-6888 TTY. You may also view these cases, and documents, on our website.

If you require any auxiliary aids or services, such as readers, signers, or Braille materials, please notify the Commission at least 24 hours in advance.

PUBLIC SERVICE COMMISSION  
Kevin Cramer, Commissioner  
Brian P. Kalk, Chairman  
Bonny M. Fetch, Commissioner  
(September 24, 2012) 1559011

**Public Notice of Opportunity  
to Comment on Supplemental  
Evaluation**

**of Nox BART Determination for Coal  
Creek Station Units 1 and 2**

The North Dakota Department of Health has conducted a supplemental evaluation of the nitrogen oxides (NOx) Best Available Retrofit Technology (BART) determination for the Coal Creek Station. The BART determination is part of the Regional Haze State Implementation Plan that the Department has submitted to the U.S. Environmental Protection Agency. The supplemental evaluation considers new information regarding the cost of selective non-catalytic reduction (SNCR), the amount of visibility improvement expected to occur from the use of SNCR and other information provided by Great River Energy. The preliminary supplemental evaluation confirms the Department's original NOx BART determination for the Coal Creek Station. That determination indicated that BART was combustion controls with an emission limit of 0.17 lb/MMBtu on a 30-day rolling average.

A copy of the proposed supplemental evaluation may be reviewed at the Department's website at [www.ndhealth.gov/AQ/RegionalHaze/](http://www.ndhealth.gov/AQ/RegionalHaze/). A copy of the proposed supplement may be obtained by writing to the North Dakota Department of Health, Division of Air Quality, 918 E. Divide Ave., 2nd Floor, Bismarck, ND 58501-1947 or calling (701)328-5188. Written comments may be submitted to the above address from October 1 through October 30, 2012. A public hearing will be held only if there is a request from the public for a hearing. Any request for a hearing must be submitted in writing and received by Department before the end of the public comment period. If a hearing is requested, it will be held November 9, 2012 at 9:00 a.m. CST at the Gold Seal Center's 4th Floor conference room at 918 E. Divide Ave., Bismarck, North Dakota. If a public hearing is requested, the public comment period will remain open through November 16, 2012. If no requests for a public hearing are received, the announcement that the hearing has been cancelled will be posted on the Department's website at [www.ndhealth.gov/AQ/notices.htm](http://www.ndhealth.gov/AQ/notices.htm). The public may also call (701)328-5188 to find out if the hearing has been cancelled.

If you plan to attend a requested hearing and will need special facilities or assistance relating to a disability, please contact the Department of Health at the above-address at least three days prior to the hearing.

Dated this 12th day of September, 2012.  
Terry L. O'Clair, P.E.  
Director  
Division of Air Quality  
(September 24, 2012) 1560850

mons.  
Dated September 17, 2012.  
/s/ Scott C. Griffith  
Judicial Referee  
East Central Judicial District  
(September 24, October 1, 8, 2012).  
1560863

STATE OF NORTH DAKOTA  
COUNTY OF CASS  
IN DISTRICT COURT  
EAST CENTRAL JUDICIAL DISTRICT  
The State of North Dakota, doing  
Business as The Bank of North Dakota,  
Plaintiff,  
vs.

Estate of Scott W. Bubendorf, Defendant.

**NOTICE OF SALE**  
Civil No. 09-2012-CV-01730

Notice is hereby given that by virtue of a Judgment and Decree of a foreclosure rendered and given by the Cass County District Court, North Dakota, and entered and docketed in the Office of the Clerk of Court on August 21, 2012, in an action wherein The State of North Dakota, doing business as The Bank of North Dakota was Plaintiff and the Estate of Scott W. Bubendorf, was the Defendant, adjudging that there is due and payable on the real estate mortgage described in Plaintiff's Complaint the sum of \$82,477.61, which Judgment and Decree, among other things directed the sale by me of the real property hereinafter described to satisfy the amount of the Judgment with interest thereon and the cost and expenses of such sale are so much thereof as the proceeds of the sale applicable thereto will satisfy, and by virtue of a Writ to me issued out of the Office of the Clerk and under the Seal of the Court, directing me to sell the real property pursuant to said Judgment and Decree. I, Paul Laney, Sheriff of Cass County, North Dakota and the person appointed by the Court to make the sale, will sell the hereinafter described real estate to the highest bidder for cash at public auction at the front door of the courthouse in Fargo, Cass County, North Dakota, on October 31, 2012, at 10:00 a.m. of that date to satisfy the amount declared due and payable in said Judgment, with interest and costs thereon and the costs and expenses of such sale or so much thereof as the proceeds of such sale applicable thereto will satisfy. The premises to be sold pursuant to said Judgment and Decree and said Writ and to this notice are located in Cass County, North Dakota and are described in the Judgment and Decree and Writ as follows to wit:

Lot Ten, in Block Six, of Chateau Cheyenne Addition to the City of West Fargo, situate in the County of Cass and the State of North Dakota.

Parcel ID Number: 02005000710000  
Which has the address of 705 Riverwood Drive, West Fargo, North Dakota 58078

The failure to include the street address in the notice, does not affect the validity of the notice. Please note the sale is subject to cancellation or postponement.

Dated this 12th day of September, 2012.

Paul Laney, Sheriff  
Cass County Sheriff's Department  
By: /s/ Tom Hall  
Deputy Sheriff  
The person to hold such sale.  
Dated this 13th day of September, 2012.

State of North Dakota  
Wayne Stenehjem  
Attorney General  
By: /s/ Douglas B. Anderson  
Assistant Attorney General  
State Bar ID No. 05072  
Office of Attorney General  
500 North 9th Street  
Bismarck, ND 58501-4509  
Telephone (701) 328-3640  
Facsimile (701) 328-4300  
Attorneys for plaintiff.

(September 24, October 1, 8, 2012)  
1560948

9/24 Fargo