

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  LAURENS MUNICIPAL BROADBAND COMMUNICATIONS UTILITY	DOCKET NOS. TF-98-233 TF-98-234 (TCU-98-8)
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**ORDER APPROVING TARIFFS**

(Issued June 22, 1999)

On June 25, 1998, the Utilities Board (Board) issued an order granting Laurens Municipal Broadband Communications Utility's (Laurens) application for issuance of a certificate of public convenience and necessity. This application was granted subject to the approval of tariffs to reflect the prices, terms, and conditions of local exchange service and subject to the approval of maps and other documentation to define the service territory.

On September 23, 1998, Laurens filed an exchange map for the Laurens exchange identified as TF-98-233 and a tariff identified as TF-98-234. On October 23, 1998, the Board issued an order docketing the tariff and map. The Board also noted it was awaiting final disposition of the Iowa Supreme Court decision, Iowa Telephone Association v. City of Hawarden, 589 N.W.2d 245 (Iowa 1999).

On February 17, 1999, the Iowa Supreme Court issued its decision in the Iowa Telephone Association v. Hawarden case. In its decision, the Court found that, pursuant to § 541(b)(3)(B) of the federal Telecommunications Act of 1996, the state

may not prohibit the provision of telecommunications service by a cable operator.

The Board issued an order requiring Laurens to provide a statement as to whether it is a cable operator and, also, required Laurens to file a statement regarding notice to affected customers. On April 5, 1999, Laurens filed a statement verifying its cable operator status and on May 20, 1999, Laurens filed a service list. Laurens filed revisions to TF-98-234 on October 12, 1998, February 19, 1998, April 9, 1998, and May 20, 1999. On June 11, 1999, Laurens filed a statement that it will provide Intra LATA dialing parity equal access through service through Iowa Network Services.

The Board has reviewed the tariff as revised, the map filed by Laurens, and the statements filed by Laurens. The Board will approve the tariffs. It is in the public interest to grant a certificate to Laurens. A certificate shall issue simultaneously with this order.

**IT IS THEREFORE ORDERED:**

1. The tariff, identified as TF-98-234, filed by Laurens Municipal Broadband Telecommunications Utility on September 23, 1998 and revised on October 12, 1998, February 19, 1999, and May 20, 1999, is approved.

2. The map, identified as TF-98-233, filed by Laurens on September 23, 1998, is approved.

**UTILITIES BOARD**

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

/s/ Raymond K. Vawter, Jr.      /s/ Diane Munns  
Executive Secretary

Dated at Des Moines, Iowa, this 22<sup>nd</sup> day of June, 1999.