

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: NEWPATH HOLDINGS, INC.	DOCKET NOS. TCU-00-3 WRU-00-24-3374
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**ORDER GRANTING APPLICATION, APPROVING MAPS
AND GRANTING WAIVERS**

(Issued April 14, 2000)

On January 20, 2000, NewPath Holdings, Inc. (NewPath), filed an application for issuance of a certificate of public convenience and necessity, pursuant to Iowa Code § 476.29 (1999), stating its intention to provide facilities-based and resold local exchange service in the state of Iowa.

Iowa Code § 476.29(2) (1999) provides that the local exchange carrier shall not be denied a certificate if the Utilities Board (Board) finds that the applicant "possesses the technical, financial, and managerial ability to provide the service it proposes to render and the board finds the service is consistent with public interest." The Board has carefully reviewed NewPath's application and finds NewPath has demonstrated that it has the necessary technical, financial, and managerial ability to provide local exchange service. It is in the public interest to grant a certificate to NewPath.

NewPath adopted by reference the exchange boundary maps of U S WEST Communications, Inc., GTE Midwest Incorporated, and Frontier Communications of Iowa, Inc., which are on file with the Board.

NewPath requested a waiver of 199 IAC 16.5(2), which requires it to use a prescribed system of accounts. NewPath stated it employs an accounting system in accordance with generally-accepted accounting principles.

NewPath also requested the Board waive 199 IAC 22.3(2) that requires it to independently publish a directory, stating that it will provide for the listing of its customers' telephone numbers in the appropriate local directory. The Board will grant NewPath's request for waivers.

IT IS THEREFORE ORDERED:

1. The application for a certificate of public convenience and necessity filed by NewPath Holdings, Inc., on January 20, 2000, is granted, subject to the requirement that follows.
2. At the time NewPath files tariffs with the Board, it must give notice to all affected local exchange carriers. Upon approval of tariffs to reflect the prices, terms, and conditions of local exchange service in Iowa offered by NewPath, and a statement that a 2-PIC methodology for dialing parity is available for all customers, the Board will issue a certificate of public convenience and necessity allowing it to provide local exchange service in Iowa.
3. NewPath's concurrence in the exchange boundary maps of U S WEST Communications, Inc., GTE Midwest Incorporated, and Frontier Communications of Iowa, Inc., is approved.
4. NewPath's requests for waiver of 199 IAC 16.5(2) and 22.3(1) are granted.

UTILITIES BOARD

/s/ Allan T. Thoms

ATTEST:

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

/s/ Diane Munns

Dated at Des Moines, Iowa, this 14th day of April, 2000.