

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: METROMEDIA FIBER NETWORK SERVICES, INC.	DOCKET NOS. TCU-00-24 WRU-00-32-3406
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ORDER GRANTING APPLICATION AND WAIVERS

(Issued July 24, 2000)

On April 26, 2000, Metromedia Fiber Network Services, Inc. (MFNS), 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 non-switched dedicated local exchange, exchange access, and intrastate private line, high capacity fiber optic transmission facilities and services throughout the state of Iowa." MFNS intends to provide services intended for non-switched data only at this time, making tariffs unnecessary.

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 reviewed MFNS' application and finds MFNS 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 MFNS.

MFNS requested a waiver of 199 IAC 16.5(2), which requires it to use a prescribed system of accounts, and 199 IAC 18.2, which requires it to maintain its books and records in Iowa. MFNS stated it employs an accounting system in accordance with generally accepted accounting principles and that those records are kept at its principal place of business in New York.

The Board finds it reasonable to grant MFNS' requests for waivers. Based on the nature of the telecommunications service MFNS will provide, the Board finds that none of these requirements are appropriate at this time. The Board will be able to adequately review the records if it becomes necessary.

MFNS additionally requested a waiver of the requirement of publishing a directory for its customers pursuant to 199 IAC 22.3(1) and for filing a dialing parity plan. These waiver requests were withdrawn by MFNS by letter filed June 7, 2000.

IT IS THEREFORE ORDERED:

1. The application for a certificate of public convenience and necessity filed by Metromedia Fiber Network Services, Inc., on April 26, 2000, is granted, subject to the requirement that follows.

2. At the time Metromedia Fiber Network Services, Inc., files tariffs with the Board, indicating it is then ready to provide voice services in Iowa, 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 Metromedia Fiber Network Services, Inc., a statement that a 2-PIC methodology for

dialing parity is available for all customers, and approval of exchange boundary maps designating the proposed service territory, the Board will issue a certificate of public convenience and necessity allowing it to provide local exchange service in Iowa.

3. Metromedia Fiber Network Services, Inc.'s requests for waiver of 199 IAC 16.5(2) and 18.2 are granted.

UTILITIES BOARD

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

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

/s/ Diane Munns

Dated at Des Moines, Iowa, this 24th day of July, 2000.