

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: ESSEX COMMUNICATIONS, INC., d/b/a ELEC COMMUNICATIONS	DOCKET NOS. TCU-00-34 WRU-00-48-3422 TF-00-144
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ORDER EXTENDING DATE FOR DETERMINATION OF APPLICATION

(Issued August 31, 2000)

On June 5, 2000, Essex Communications, Inc., d/b/a eLEC Communications (Essex), filed an application for issuance of certificate of public convenience and necessity, pursuant to Iowa Code § 476.29 (1999), to offer state wide competitive local exchange service in the state of Iowa. The application has been identified as Docket No. TCU-00-34. A proposed tariff was filed with the application and was identified as Docket No. TF-00-144. Essex made an additional filing on June 14, 2000, requesting that the Utilities Board (Board) grant it waivers of certain rules and regulations. The request for waivers was identified as Docket No. WRU-00-48-3422.

Iowa Code § 476.29(2) (1999) provides that the local exchange carrier shall not be denied a certificate if the 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 the public interest." The statute also provides that the Board shall make a determination concerning the application with 90 days, unless the Board determines that additional time is necessary to

consider the application. In that case, the Board may extend the time for making a determination for an additional 60 days.

Board staff has contacted Essex personnel for additional information and a tariff schedule. The Board has not received the information or the tariff schedule as of the date of this order, and the 90-day deadline for making a determination is September 3, 2000. The Board finds that additional time is necessary to consider the application and will extend the determination date an additional 60 days.

IT IS THEREFORE ORDERED:

The Board extends the date for making a determination on the application, tariff, and waivers filed by Essex Communications, Inc., d/b/a eLEC Communications, from September 3, 2000, to November 2, 2000.

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 31st day of August, 2000.