

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: HARLAN MUNICIPAL UTILITIES	DOCKET NO. TCU-00-43
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ORDER GRANTING APPLICATION AND APPROVING CONCURRENCE IN MAPS

(Issued September 8, 2000)

On July 27, 2000, the Board of Trustees of the Harlan Municipal Utilities (Harlan) 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 land-line local exchange service in the Harlan, Iowa, exchange as described in the local exchange maps in the tariffs of Iowa Telecommunications Services, Inc., d/b/a Iowa Telecom, successor to GTE Midwest Incorporated (Iowa Telecom). Harlan states that it adopts the exchange map of Iowa Telecom. Harlan served notice on all affected parties, and no objections were filed.

Harlan is a Board of Trustees organized under Iowa Code Chapter 388 to operate a communications utility for the City of Harlan, Iowa, and is a cable operator as defined by federal law. Pursuant to Iowa Code § 476.29(13), "approval by the voters of a city pursuant to § 388.2 of a proposal to establish or acquire a public utility providing communications services is conclusive evidence of the fact that the city has the technical, financial, and managerial ability to provide such service." The City of Harlan held a special election on May 16, 1995, and the City of Harlan has been

authorized by vote of its people to establish a communication utility. Therefore, the certification standards in Iowa Code § 476.29(2) are satisfied.

In its application, Harlan stated that it will provide two-PIC methodology for intraLATA and interLATA dialing parity at the time it commences service.

The Board finds that it is in the public interest to grant a certificate to Harlan.

IT IS THEREFORE ORDERED:

1. The application for a certificate of public convenience and necessity, filed by Harlan Municipal Utilities on July 27, 2000, is granted.
2. Upon approval of tariffs to reflect the prices, terms, and conditions of local exchange service offered by Harlan Municipal Utilities, the Board will issue a certificate of public convenience and necessity allowing it to provide local exchange service in Iowa.
3. The concurrence in the maps and boundaries of the Harlan exchange in the tariffs of Iowa Telecommunications Services, Inc., d/b/a Iowa Telecom, successor to GTE Midwest Incorporated, is approved.

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 8th day of September, 2000.