

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

<p>IN RE:</p> <p>IOWA NETWORK SERVICES, INC.,</p> <p style="padding-left: 100px;">Complainant,</p> <p style="padding-left: 40px;">vs.</p> <p>QWEST CORPORATION,</p> <p style="padding-left: 100px;">Respondent.</p>	<p style="text-align:center">DOCKET NO. FCU-01-1 (TF-01-111)</p>
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ORDER TERMINATING DOCKET

(Issued May 22, 2001)

On April 9, 2001, Qwest Corporation (Qwest) filed with the Utilities Board (Board) a proposed tariff, identified as TF-01-111, proposing five new pricing elements in the Common Channel Signaling Access Capability (CCSAC) section of Qwest's switched access tariff. On April 25, 2001, Iowa Network Services, Inc. (INS), filed an objection to Qwest's tariff, alleging the tariff proposes new rates for the CCSAC section of the tariff in violation of Iowa Code § 476.97(11)"e"(5) (2001). On May 7, 2001, Qwest filed an answer to the INS objection.

On May 9, 2001, the Utilities Board issued an order docketing the proposed tariff as a formal complaint proceeding and setting a procedural schedule.

On May 14, 2001, INS filed a withdrawal of its objection, stating that Qwest and INS met to discuss the anticipated effect of the proposed tariff change on INS

and concluded that, based on the billing and measurement techniques currently employed by Qwest for the INS links, the proposed tariff changes represent an annual cost savings to INS. INS therefore withdraws its objection.

The withdrawal filed by INS states it is “based on the representations made by Qwest to INS regarding the billing techniques to be employed in the implementation of this tariff....” The Board understands this to mean that INS is moving to withdraw its objection without prejudice; that is, if Qwest subsequently changes the manner in which it implements the tariff, INS may file a new objection. The Board will allow INS to withdraw its objection without prejudice.

IT IS THEREFORE ORDERED:

1. The “Withdrawal Of Objection To Tariff” filed by Iowa Network Services, Inc., on May 14, 2001, will be treated as a motion to withdraw objection without prejudice and will be granted.
2. Docket No. FCU-01-1 is terminated.

UTILITIES BOARD

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

/s/ Judi K. Cooper
Acting Executive Secretary

/s/ Diane Munns

Dated at Des Moines, Iowa, this 22nd day of May, 2001.