

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

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<p>IN RE:</p> <p>IOWA COUNTY E-9-1-1 BOARD,</p> <p style="padding-left: 40px;">Complainant,</p> <p>vs.</p> <p>SOUTH SLOPE COOPERATIVE TELEPHONE COMPANY,</p> <p style="padding-left: 40px;">Respondent.</p>	<p style="text-align:center">DOCKET NO. FCU-02-12</p>
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**ORDER SUSPENDING PROCEDURAL SCHEDULE**

(Issued February 14, 2003)

On June 11, 2002, Iowa County E-9-1-1 Board (Iowa County) filed a complaint with the Utilities Board (Board) against South Slope Cooperative Telephone Company (South Slope). The filing has been identified as Docket No. FCU-02-12. In its complaint, Iowa County contends that the monthly surcharge of \$.20 per access line assessed to Iowa County by South Slope for maintenance of its E-9-1-1 database is unreasonable.

On November 26, 2002, the Board issued an "Order Resuming Proceedings, Requesting Response, and Establishing Procedural Schedule" in Docket No. FCU-02-12. The order required Iowa County to file prepared direct testimony, with supporting exhibits and workpapers, on or before January 27, 2003. The order also

required South Slope and any interveners not aligned with Iowa County's position to file responsive testimony, with supporting exhibits and workpapers, on or before February 17, 2003.

On January 23, 2003, Iowa County filed with the Board a motion for summary judgment. On January 24, 2003, Iowa County filed its direct testimony and exhibits. The filing adopted the factual statements and information set forth in its original complaint filed on June 11, 2002, and was supported by the affidavit of Mary D. Miller, supervisor for the Iowa County E-9-1-1 Board.

On February 7, 2003, South Slope filed a resistance to Iowa County's summary judgment motion and submitted its own motion for summary judgment. On February 13, 2003, South Slope filed a "Motion To Suspend Procedural Schedule, For Order To Comply With Board's Order and For More Specific Statement." South Slope requests the Board suspend the procedural schedule pending the Board's ruling on the parties' summary judgment motions. South Slope also requests the Board order Iowa County to comply with the Board's November 26, 2002, order by filing direct testimony and exhibits rather than incorporate its original filing. South Slope further requests the Board order Iowa County to file a more specific statement as to the legal basis for its complaint.

The Board finds South Slope's request to suspend the procedural schedule to be reasonable. The Board will temporarily suspend the existing procedural schedule until it has had sufficient time to rule on the parties' respective summary judgment

motions. The Board will hold South Slope's remaining requests in abeyance until it has ruled on the party's summary judgment motions.

**IT IS THEREFORE ORDERED:**

The procedural schedule established in the Board's order issued November 26, 2002, in this docket, is temporarily suspended as described in the body of this order.

**UTILITIES BOARD**

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 14<sup>th</sup> day of February, 2003.