

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: IOWA TELECOMMUNICATIONS SERVICES, INC., d/b/a IOWA TELECOM	DOCKET NO. TF-03-130
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ORDER REGARDING INTERVENTION

(Issued June 4, 2003)

On May 29, 2003, the Utilities Board (Board) issued an order docketing the proposed "Win Back Program" tariff filed by Iowa Telecommunications Services, Inc., d/b/a Iowa Telecom (Iowa Telecom) on April 29, 2003, and assigning the docket to the undersigned administrative law judge. In the order, the Board stated: "With respect to the intervention of South Slope and IAMU in these proceedings, neither South Slope nor IAMU have substantially complied with 199 IAC 7.2(8). However, it appears that these parties may be able to substantially comply with the Board's rules regarding intervention if given an opportunity. Therefore, the Board will leave this determination to the ALJ."

Although it is possible South Slope and the Iowa Association of Municipal Utilities (IAMU) could have filed a complaint pursuant to Iowa Code § 476.101(8) regarding one of the stated issues in support of their objections, the objections are much broader, and therefore it appears that intervention is required before South Slope and IAMU may participate in this docket. South Slope has not yet filed a petition to intervene. IAMU characterized its filing as an objection (and petition to intervene), although the filing does not recite any of the information regarding IAMU's interest in the matter pursuant to 199 IAC 7.2(7)"d."

Therefore, considering the Board's guidance in its May 29, 2003, order, South Slope and IAMU should each be given the opportunity to file a petition to intervene that complies with 199 IAC 7.2(7)"d" and 7.2(8). In addition, Iowa Telecom should be given the opportunity to object to such petitions.

IT IS THEREFORE ORDERED:

1. If South Slope and IAMU wish to participate in this docket, each must file a petition to intervene that complies with 199 IAC 7.2(7)"d" and 7.2(8) no later than June 10, 2003.

2. If Iowa Telecom wishes to resist the petitions to intervene, it must file a resistance no later than June 16, 2003.

3. Once the undersigned has determined who the parties will be in this docket, a prehearing conference will be scheduled as ordered by the Board. With their petitions to intervene and resistance (if any), South Slope, IAMU, and Iowa Telecom should inform the undersigned of their availability for an in-person prehearing conference to be held sometime during the week of June 23, 2003.

4. On or before June 16, 2003, the Consumer Advocate Division of the Department of Justice should also inform the undersigned of its availability for a prehearing conference to be held sometime during the week of June 23, 2003.

UTILITIES BOARD

/s/ Amy L. Christensen
Amy L. Christensen
Administrative Law Judge

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

Dated at Des Moines, Iowa, this 4th day of June, 2003.