

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  MCC TELEPHONY OF IOWA, INC.	DOCKET NO. TCU-04-4
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**ORDER APPROVING AMENDMENT TO APPROVED APPLICATION**

(Issued October 18, 2004)

On April 1, 2004, the Utilities Board (Board) issued an order approving an application for public convenience and necessity to MCC Telephony of Iowa, Inc. (MCC), subject to the filing of approved tariffs and service area maps. The application was identified as Docket No. TCU-04-4.

On September 8, 2004, MCC filed a request to amend its approved application to reflect a change in MCC's requested service area. MCC seeks to change its previously-designated service area to include the entire state of Iowa rather than only those areas currently served by Qwest Corporation (Qwest) as originally requested. No objections to the request were filed.

In support of its request, MCC states that due to the unique topography and configuration of its cable system, it is unlikely that its initial rollout of its voice-over Internet protocol (VoIP) services would be limited to Qwest's service territory. MCC is asking for authority to provide service in any area of Iowa where MCC affiliates own and operate a cable system and offer high-speed cable modems. MCC also states that its technical, financial, and managerial qualifications that were submitted in its initial application have not changed.

The proposed amendment appears to constitute a material change to the initial application because the rollout of MCC's VoIP service is now more likely to impact Iowa's telephone numbering resources. MCC's statewide market entry could strain Iowa's telephone numbering resources because not all of Iowa's incumbent local exchange carriers are capable of providing local number portability (LNP) or number pooling. MCC's initial application has less potential to strain numbering resources because Qwest is 100 percent LNP-capable and number pooling capable in Iowa.

Iowa Code § 476.29(2) provides that a 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 Board has reviewed MCC's proposed amendment and finds the necessary technical, financial, and managerial ability to provide local exchange service has been demonstrated. However, MCC does not indicate how it will utilize telephone-numbering resources when providing local exchange service. Because telephone numbers are not an unlimited resource, if the incumbent local exchange carrier has implemented thousands-block number pooling (TBNP) in exchanges served by MCC, then MCC must commit to utilize thousands-blocks of telephone numbers as opposed to ten-thousand blocks of numbers (commonly referred to as an "NXX"), even in those areas where TBNP is voluntary, whenever it is technically feasible. The Board will approve MCC's amendment to its approved application at

this time provided that MCC file a statement within 30 days of the date of this order agreeing to participate in TBNP wherever technically feasible.

**IT IS THEREFORE ORDERED:**

1. The request to amend the approved application for a certificate of public convenience and necessity filed by MCC Telephony of Iowa, Inc., on September 8, 2004, is granted.

2. The Board will issue a certificate of public convenience and necessity allowing MCC Telephony of Iowa, Inc., to provide local exchange service upon approval of tariffs reflecting the prices, terms, and conditions of local exchange service in Iowa.

3. Before offering local exchange services, MCC Telephony of Iowa, Inc., shall file with the Board appropriate maps that designate its exchange boundaries pursuant to Iowa Code § 476.29(4) and 199 IAC 22.20(3).

4. Within 30 days of the date of this order, MCC Telephony of Iowa, Inc., shall file with the Board a statement agreeing to participate in thousands-block number pooling where technically feasible.

**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 18<sup>th</sup> day of October, 2004.