

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: QUALITY OF SERVICE REPORTING BY ELIGIBLE TELECOMMUNICATIONS CARRIERS [199 IAC 39]	DOCKET NO. RMU-05-4
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ORDER ASSIGNING COMMENT PROCEEDING TO PRESIDING OFFICER

(Issued April 7, 2005)

On February 21, 2005, the Utilities Board (Board) issued an "Order Commencing Rule Making" in Docket No. RMU-05-4 to receive public comment on new proposed rules requiring designated eligible telecommunications carriers (ETCs) to provide quality of service reporting to the Board regarding those services that are supported by the federal universal service fund. On March 16, 2005, the proposed rules were published in the Iowa Administrative Bulletin. Written comments on the proposed rules were due on or before April 5, 2005. A public hearing to receive oral comments has been scheduled for May 11, 2005, in the Board's hearing room.

Due to an unforeseen scheduling conflict and rather than delay this proceeding, the Board will assign the public hearing to two members of Board staff, Jennifer Smithson and Jim Langenberg, for the limited purpose of receiving oral comments regarding the proposed rules pursuant to Iowa Code § 17A.11(1)"b"

(2005) and 199 IAC 7.1(4). The public hearing in this proceeding will take place as scheduled on May 11, 2005.

In addition, since the issuance of the Board's February 21 order, the Federal Communications Commission (FCC) adopted additional requirements for ETC proceedings in CC Docket No. 96-45, issued March 17, 2005.¹ In this order, the FCC encourages state commissions to adopt its recommendations regarding the analysis of ETC designation applications and to adopt its annual certification reporting requirements. While the Board intends to proceed with this current rule making, a subsequent rule making will likely be initiated to address the FCC's recommendations. Therefore, the Board invites comments regarding the FCC's order in CC Docket 96-45 at the public hearing for this proceeding on May 11 for the purpose of providing the appropriate scope of any follow-up rule making.

IT IS THEREFORE ORDERED:

Pursuant to Iowa Code § 17A.11(1)"b" (2005) and 199 IAC 7.1(4), the public hearing in Docket No. RMU-05-4 scheduled for May 11, 2005, is assigned to two members of Board staff, Jennifer Smithson and Jim Langenberg, for the limited

¹ See In the Matter of Federal State Joint Board on Universal Service, "Report and Order," CC Docket No. 96-45, issued March 17, 2005.

purpose of receiving oral comments regarding the proposed rules published in the Iowa Administrative Bulletin on March 16, 2005.

UTILITIES BOARD

/s/ John R. Norris

/s/ Diane Munns

ATTEST:

/s/ Sharon Mayer
Executive Secretary, Assistant to

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 7th day of April, 2005.