

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

<p>IN RE:</p> <p>MCLEODUSA TELECOMMUNICATIONS SERVICES INC.,</p> <p style="text-align:right">Complainant,</p> <p style="text-align:center">v.</p> <p>QWEST CORPORATION,</p> <p style="text-align:right">Respondent.</p>	<p style="text-align:center">DOCKET NO. FCU-05-21</p>
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ORDER GRANTING REQUEST FOR VOLUNTARY DISMISSAL

(Issued May 17, 2005)

On March 30, 2005, McLeodUSA Telecommunications Services, Inc. (McLeod), filed with the Utilities Board (Board) a motion seeking emergency enforcement of its Interconnection Agreement with Qwest Corporation (Qwest). An errata filing was made on March 30, 2005, substituting Iowa documents for Nebraska documents that were inadvertently attached to the petition. On April 1, 2005, Qwest filed a response to McLeod's motion.

On April 5, 2005, McLeod filed a withdrawal of its request for an emergency ruling. Subsequent filings from Qwest include an answer to McLeod's motion and a motion to dismiss filed on April 15, 2005, followed by two submissions of supplemental authority in support of its motion to dismiss.

On May 4, 2005, McLeod filed a request for voluntary dismissal without prejudice, stating the parties had reached a commercial agreement that appears to address the issues raised in the complaint.

The Board will grant McLeod's request to dismiss its complaint without prejudice.

IT IS THEREFORE ORDERED:

The "Voluntary Dismissal Without Prejudice" filed on May 4, 2005, by McLeodUSA Telecommunications Services, Inc., is granted.

UTILITIES BOARD

/s/ John R. Norris

/s/ Diane Munns

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 17th day of May, 2005.