

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

<p>IN RE:</p> <p>LEVEL 3 COMMUNICATIONS, LLC,</p> <p style="padding-left: 40px;">Petitioner,</p> <p>vs.</p> <p>QWEST CORPORATION,</p> <p style="padding-left: 40px;">Respondent.</p>	<p style="text-align:center">DOCKET NO. ARB-05-4</p>
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**ORDER ACCEPTING STIPULATION OF WAIVER AND
PROCEDURAL SCHEDULE**

(Issued June 30, 2005)

On June 3, 2005, Level 3 Communications, LLC (Level 3), filed a petition with the Utilities Board (Board) requesting the Board arbitrate certain terms and conditions of a proposed interconnection agreement between Level 3 and Qwest Corporation (Qwest).

On June 13, 2005, the Board issued an order docketing Level 3's petition and setting a telephone conference pursuant to 199 IAC 38.7(3)"g." The telephone conference took place as scheduled on June 16, 2005. As part of that conference, Level 3 and Qwest tentatively agreed to a schedule for this proceeding.

On June 21, 2005, Level 3 and Qwest jointly submitted a stipulated procedural schedule in this docket. The schedule agreed to by Level 3 and Qwest extends

beyond the time period within which a decision must be made pursuant to 47 U.S.C. § 252(b)(4)(C). Level 3 and Qwest state that they have agreed to waive the provisions of 47 U.S.C. § 252(b)(4)(C) provided that the Board issue a final decision in this matter on or before November 1, 2005.

The Board has reviewed the stipulated schedule and finds that it is reasonable. Therefore, the Board will accept the parties' joint waiver of the provisions of 47 U.S.C. § 252(b)(4)(C) and will approve the proposed procedural schedule.

IT IS THEREFORE ORDERED:

1. The stipulated procedural schedule filed jointly in Docket No. ARB-05-4 by Level 3 Communications, LLC, and Qwest Corporation on June 21, 2005, is approved.
2. The joint waiver of the provisions of 47 U.S.C. § 252(b)(4)(C) submitted jointly by Level 3 Communications, LLC, and Qwest Corporation on June 21, 2005, is accepted.
3. The following procedural schedule is established:
 - a. The parties shall simultaneously file prepared direct testimony, with underlying workpapers and exhibits, on or before July 20, 2005.
 - b. The parties shall simultaneously file any rebuttal testimony, with supporting exhibits and workpapers, on or before August 12, 2005.

c. A hearing for the purpose of receiving testimony and cross-examination of all testimony will commence at 9 a.m. on August 30, 2005, in the Board's hearing room at 350 Maple Street, Des Moines, Iowa. Parties shall appear one-half hour prior to the time of hearing to mark exhibits. Persons with disabilities requiring assistive services or devices to observe or participate should contact the Board at 515-281-5256 to request that appropriate arrangements be made.

d. Any party desiring to file a brief may do so on or before September 20, 2005.

e. Any party desiring to file a reply brief may do so on or before September 30, 2005.

f. The Board shall issue a final decision in this docket on or before November 1, 2005.

4. In the absence of objection, all workpapers shall become a part of the evidentiary record at the time the related testimony and exhibits are entered into the record.

5. In the absence of objection, all data requests and responses referred to in oral testimony or cross-examination, which have not previously been filed with the Board, shall become a part of the evidentiary record. The party making reference to the data request or response shall file an original and six copies at the earliest possible time.

6. In the absence of objection, if the Board calls for further evidence on any issue and that evidence is filed after the close of the hearing, the evidentiary record shall be reopened and the evidence will become a part of the evidentiary record five days after filing. All evidence filed pursuant to this paragraph shall be filed no later than five days after the close of the hearing.

7. Pursuant to 199 IAC 7.7(2) and (11), the time for filing responses or objections to data requests and motions will be shortened to five days from the date the motion is filed or the data request is served. All data requests and motions should be served by facsimile or by electronic mail in addition to United States mail.

UTILITIES BOARD

/s/ John R. Norris

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 30th day of June, 2005.