

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: RURAL IOWA INDEPENDENT TELEPHONE ASSOCIATION	DOCKET NO. TF-04-257
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**ORDER GRANTING WITHDRAWAL OF PROPOSED TARIFF
AND CLOSING DOCKET**

(Issued July 19, 2005)

On August 10, 2004, the Rural Iowa Independent Telephone Association (RIITA) filed with the Utilities Board (Board) a proposed wireless termination tariff. The proposed tariff established a per-minute rate for terminating calls originated by Commercial Mobile Radio Service (CMRS) providers that are carried (transited) by a third-party carrier and then terminated by a RIITA-member company to a customer of a RIITA-member company. The tariff would apply if the RIITA-member company and the CMRS provider did not have a negotiated interconnection agreement in place.

On September 9, 2004, the Board issued an order docketing the tariff and requiring that RIITA serve notice of the tariff on potentially-affected CMRS service providers.

Objections to the proposed tariff were filed by Qwest Corporation; U.S. Cellular Corp.; Midwest Wireless Iowa LLC; WWC License L.L.C.; VoiceStream PCS ILLC, d/b/a T-Mobile; NPCR, Inc.; Verizon Wireless; Cingular Wireless PCS, LLC;

TeleCorp Communications, LLC; and Sprint Corporation, on behalf of its Wireless Division, Sprint Spectrum, L.P., d/b/a Sprint.

On February 24, 2005, the Federal Communications Commission (FCC) issued its "Declaratory Ruling and Report and Order" in CC Docket No. 01-29. In that order, the FCC denied a petition filed by a group of CMRS providers asking the agency to find that state wireless termination tariffs filed by local exchange carriers were illegal. In the same order, however, the FCC amended its rules to prohibit such tariffs in the future, as well as stating that existing state wireless termination tariffs would no longer apply under the amended rules. Instead, wireless carriers and local exchange carriers would be required to negotiate and, if necessary, arbitrate interconnection agreements.

The Board established dates for the filing of comments concerning the effect of the FCC's order and amended rules on the proposed tariff. Comments filed by T-Mobile, Nextel Partners, Midwest Wireless, U.S. Cellular, Verizon Wireless, and Qwest Communications all viewed the proposed tariff as falling squarely within the scope of what the FCC has expressly prohibited.

On June 23, 2005, RIITA filed a request that its proposed tariff be withdrawn and the docket terminated. The request will be granted.

IT IS THEREFORE ORDERED:

The request for withdrawal of the proposed tariff filed by the Rural Iowa Independent Telephone Association on June 23, 2005, is granted and this docket is closed.

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 19th day of July, 2005.