

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

<p>IN RE:</p> <p>MCLEODUSA TELECOMMUNICATIONS SERVICES, INC.,</p> <p style="text-align:center">Petitioner,</p> <p style="text-align:center">V.</p> <p>QWEST CORPORATION,</p> <p style="text-align:center">Respondent.</p>	<p style="text-align:center">DOCKET NO. FCU-05-49</p>
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ORDER ESTABLISHING PROCEDURAL SCHEDULE

(Issued July 22, 2005)

On July 14, 2005, McLeodUSA Telecommunications Services, Inc. (McLeodUSA), filed a complaint against Qwest Corporation (Qwest) alleging that Qwest is providing inadequate signal strength to the McLeodUSA collocation space in Des Moines. McLeodUSA alleges this is a violation of various provisions of Iowa Code §§ 476.100 and 476.101 (2005) because it results in a degradation of the quality of service provided to McLeodUSA, it is an inferior interconnection, it is discrimination in favor of Qwest and against McLeodUSA, it disadvantages McLeodUSA's customers, and is a violation of certain requirements of the interconnection agreement between McLeodUSA and Qwest. The complaint was filed pursuant to the expedited complaint procedures of § 476.101(8).

On July 20, 2005, Qwest filed an answer to the complaint, generally denying the alleged violations.

Section 476.101(8) provides that when the Board receives a written complaint requesting a determination of whether a local exchange carrier is complying with the requirements of §§ 476.95 through 476.102, or any Board rules implementing those sections, the Board shall render a decision in the proceeding within 90 days after the complaint was filed. That means a decision in this docket must be issued by October 12, 2005, requiring that the Board set an expedited procedural schedule. Also, the parties will be required to serve all filings upon each other electronically or by facsimile transfer on the same day that the filing is made with the Board.

IT IS THEREFORE ORDERED:

1. The complaint filed by McLeodUSA Telecommunications Services, Inc., on July 14, 2005, is docketed as Docket No. FCU-05-49.
2. The following procedural schedule is established:
 - a. McLeodUSA shall file prepared direct testimony, with underlying workpapers and exhibits, on or before August 3, 2005. If McLeodUSA references a data request in its prepared testimony, the data request shall be filed as an exhibit. This requirement shall apply to all prefiled testimony by any party.
 - b. Qwest shall file its direct testimony, with underlying workpapers and exhibits, on or before August 17, 2005.

c. McLeodUSA shall file its rebuttal testimony on or before August 24, 2005.

d. Any party that chooses to file a prehearing brief may do so on or before August 26, 2005.

e. A hearing shall be held beginning at 9 a.m. on September 9, 2005, for the purpose of receiving testimony and the cross-examination of all testimony. The hearing shall be held in the Iowa Utilities Board's Hearing Room, 350 Maple Street, Des Moines, Iowa. The parties shall appear one-half hour prior to the time of the hearing for the purpose of marking exhibits. Persons with disabilities requiring assistive services or devices to observe or participate should contact the Utilities Board at (515) 281-5256 in advance of the scheduled date to request that appropriate arrangements be made.

f. The parties may file simultaneous briefs on or before September 19, 2005.

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

4. In the absence of objection, all data requests and responses referred to in oral testimony or on cross-examination which have not been previously filed shall become a part of the evidentiary record of these proceedings. The party making

reference to the data request shall file an original and six copies of the data request and response with the Board at the earliest possible time.

5. In the absence of objection, when the Board has called for further evidence on any issue and the evidence is filed after the close of the hearing, the evidentiary record will be reopened and the evidence will become part of the record five days after the evidence is filed with the Board. All evidence filed pursuant to this paragraph shall be filed no later than seven days after the close of the hearing in this proceeding.

6. The parties shall respond to all data requests in this proceeding within five days of receiving the data request and serve all filings upon each other electronically or by facsimile transfer on the same day that the filing is made with the Board.

UTILITIES BOARD

/s/ John R. Norris

/s/ Diane Munns

ATTEST:

/s/ Margaret Munson
Executive Secretary, Deputy

Dated at Des Moines, Iowa, this 22nd day of July, 2005.