

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: WITEL LOCAL NETWORK, LLC	DOCKET NOS. TCU-05-9 TF-05-151 WRU-05-25-3800
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**ORDER DENYING APPLICATION WITHOUT PREJUDICE,
DENYING REQUEST FOR WAIVER, REJECTING TARIFF,
AND CLOSING DOCKETS**

(Issued August 2, 2005)

On May 10, 2005, WilTel Local Network, LLC (WilTel), filed with the Utilities Board (Board) an application for a certificate of public convenience and necessity to provide local exchange service in Iowa. The application is identified as Docket No. TCU-05-9.

WilTel did not propose to provide local exchange service to retail customers. Rather, WilTel intended to provide wholesale services to other telecommunications carriers, Internet service providers (ISPs), government entities, and business customers. Board staff has been in contact with WilTel regarding the provision of such services. WilTel informed Board staff that it will not pursue a local exchange certificate at this time and, on July 29, 2005, WilTel filed a written confirmation of the withdrawal with the Board. Therefore, the Board will deny WilTel's application, without prejudice to refile, based on WilTel's request to withdraw the application.

Also on May 10, 2005, WilTel requested the Board waive the requirements of 199 IAC 16.5(2) and 22.3(1). The waiver request is identified as Docket No. WRU-05-25-3800. A waiver of these rules depends on the approval of WilTel's

application. Since the Board is denying WilTel's application, the Board will also deny the waiver request.

Along with the above, WilTel also filed a proposed tariff setting forth the prices, terms, and conditions of its proposed telecommunications service offerings. The proposed tariff is identified as TF-05-151. Approval of WilTel's proposed tariff depends on the approval of WilTel's application. Since the Board is denying WilTel's application, the Board will reject WilTel's proposed tariff.

IT IS THEREFORE ORDERED:

1. The request for a certificate of public convenience and necessity filed by WilTel Local Network, LLC, on May 10, 2005, and identified as Docket No. TCU-05-9, is denied without prejudice as described in this order.
2. The request for waiver of 199 IAC 16.5(2) and 22.3(1), identified as Docket No. WRU-05-25-3800, is denied.
3. The proposed tariff, identified as TF-05-151, is rejected.
4. Docket Nos. TCU-05-9, WRU-05-25-3800, and TF-05-141 are closed.

UTILITIES BOARD

/s/ Diane Munns

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 1st day of August, 2005.