

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: DEREGULATION OF SINGLE LINE FLAT-RATE LOCAL EXCHANGE SERVICES IN COMPETITIVE MARKETS	DOCKET NO. INU-05-2
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ORDER DENYING MOTION FOR MOOTNESS

(Issued August 11, 2005)

On July 8, 2005, Qwest Corporation (Qwest) filed with the Utilities Board (Board) a motion to compel responses to data requests. Qwest states that it served a single data request on telecommunications carriers that provide service in certain exchanges that were identified by the Board in an order issued May 13, 2005, in Docket No. INU-05-2. Qwest states that it requested each carrier provide Qwest with a copy of the updated responses to the competition survey that the carrier filed with the Board in response to the Board's May 13 order. Qwest specifically identified VCI Company (VCI) as one carrier that did not provide Qwest with a copy of its updated survey responses. Qwest requests that the Board require VCI to provide Qwest with a copy of its updated survey responses.

Qwest also requests that the Board require all of the 24 carriers who were identified as carriers that had not provided updated survey responses as of the time of the request, to submit their updated survey responses to Qwest at the same time

they are submitted to the Board. Qwest states that accurate and complete responses to the Board's survey are important to Qwest's ability to fully present its position.

On July 11, 2005, Qwest filed a withdrawal of its motion to compel discovery as it pertains to VCI. Qwest states that on July 8, 2005, VCI sent Qwest a copy of its updated survey responses. The Board has received updated survey responses from all of the 24 carriers identified in the Board's June 24 order. Qwest has not notified the Board as to which of those carriers have yet to comply with its data request, nor has Qwest pursued enforcement of its motion to compel discovery as it pertains to any of those previously-identified carriers. Therefore, the Board will deny Qwest's motion to compel for mootness.

IT IS THEREFORE ORDERED:

The motion to compel discovery filed by Qwest Corporation, on July 8, 2005, is denied as described in this order.

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 11th day of August, 2005.