

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

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| IN RE:<br><br>CITIZENS TELECOMMUNICATIONS<br>COMPANY OF MINNESOTA, LLC, d/b/a<br>FRONTIER CITIZENS<br>COMMUNICATIONS OF MINNESOTA | DOCKET NO. WRU-05-37-401 |
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**ORDER GRANTING REQUEST FOR WAIVER**

(Issued September 20, 2005)

On August 26, 2005, Citizens Telecommunications Company of Minnesota, LLC, d/b/a Frontier Citizens Communications of Minnesota (Frontier), filed with the Utilities Board (Board) a request for a waiver of 199 IAC 22.4(3)"c"(2) regarding the form of customer billing so that Frontier may offer the option of billing its customers electronically. The waiver request has been identified as Docket No. WRU-05-37-401. No objection to the request has been filed.

In support of its request, Frontier states that certain customers have asked to receive bills in an electronic format. Frontier states that it will send bills via electronic mail to those customers who specifically request electronic billing. Frontier asserts that it is not mandating electronic billing for any of its customers, but is seeking a waiver to the application of 199 IAC 22.4(3)"c"(2) so that it may provide electronic billing to those customers specifically requesting the service.

To grant the waiver, the Board must find, based upon clear and convincing evidence, that the request meets the four criteria in 199 IAC 1.3. The four criteria are: 1) the application of the rule would cause undue hardship, 2) the waiver would not prejudice the substantial legal rights of any person, 3) the provisions of the rule are not specifically mandated by statute, and 4) substantially equal protection of public health, safety, and welfare will be afforded by a means other than prescribed by the rule.

The Board finds that a waiver of 199 IAC 22.4(3)"c"(2) should be granted, based on the Board's review of the information provided by Frontier. The Board finds that it would be an undue hardship for Frontier not to be allowed to test the viability of electronic billing since the Board has previously granted similar waivers to energy utilities seeking to implement electronic billing. The Board also finds that the waiver will not affect the substantial legal rights of any person and that equal protection of the public health, safety, and welfare have all been afforded since participation in the electronic billing testing period is optional and standard billing mechanisms will continue to be available to all of Frontier's customers.

**IT IS THEREFORE ORDERED:**

The waiver request filed by Citizens Telecommunications Company of Minnesota, LLC, d/b/a Frontier Citizens Communications of Minnesota, on August 26, 2005, is granted 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 20<sup>th</sup> day of September, 2005.