

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE ARBITRATION OF:

SPRINT COMMUNICATIONS COMPANY L.P.,

Petitioning Party,

vs.

ACE COMMUNICATIONS GROUP, CLEAR LAKE
INDEPENDENT TELEPHONE COMPANY, FARMERS
MUTUAL COOPERATIVE TELEPHONE CO. OF SHELBY,
FARMERS TELEPHONE COMPANY, FARMERS MUTUAL
TELEPHONE COMPANY, GRAND RIVER MUTUAL
TELEPHONE CORPORATION, HEART OF IOWA
COMMUNICATIONS COOPERATIVE, HEARTLAND
TELECOMMUNICATIONS COMPANY OF IOWA d/b/a
HICKORYTECH, HUXLEY COMMUNICATIONS, IOWA
TELECOMMUNICATIONS SERVICES, INC., d/b/a IOWA
TELECOM f/k/a GTE MIDWEST, KALONA COOPERATIVE
TELEPHONE, LA PORTE CITY TELEPHONE COMPANY,
LOST NATION-ELWOOD TELEPHONE COMPANY,
MINBURN TELECOMMUNICATIONS, INC., ROCKWELL
COOPERATIVE TELEPHONE ASSOCIATION, SHARON
TELEPHONE, SHELL ROCK TELEPHONE COMPANY
d/b/a BEVCOMM c/o BLUE EARTH VALLEY TELEPHONE
COMPANY, SOUTH CENTRAL COMMUNICATIONS, INC.,
SOUTH SLOPE COOPERATIVE TELEPHONE
COMPANY, SWISHER TELEPHONE COMPANY,
VENTURA TELEPHONE COMPANY, INC., VILLISCA
FARMERS TELEPHONE COMPANY, WEBSTER
CALHOUN COOPERATIVE TELEPHONE ASSOCIATION,
WELLMAN COOPERATIVE TELEPHONE ASSOCIATION,
and WEST LIBERTY TELEPHONE COMPANY d/b/a
LIBERTY COMMUNICATIONS,

Responding Parties.

DOCKET NO. ARB-05-2

<p>IN RE ARBITRATION OF:</p> <p>SPRINT COMMUNICATIONS COMPANY L.P.,</p> <p style="padding-left: 40px;">Petitioning Party,</p> <p style="padding-left: 80px;">vs.</p> <p>NORTH ENGLISH COOPERATIVE TELEPHONE COMPANY AND WINNEBAGO COOPERATIVE TELEPHONE ASSOCIATION,</p> <p style="padding-left: 40px;">Responding Parties.</p>	<p>DOCKET NO. ARB-05-5</p>
<p>IN RE ARBITRATION OF:</p> <p>SPRINT COMMUNICATIONS COMPANY L.P.,</p> <p style="padding-left: 40px;">Petitioning Party,</p> <p style="padding-left: 80px;">vs.</p> <p>CITIZENS MUTUAL TELEPHONE COOPERATIVE, MABEL COOPERATIVE TELEPHONE COMPANY, TITONKA TELEPHONE COMPANY, LYNNVILLE TELEPHONE COMPANY, AND SULLY TELEPHONE ASSOCIATION,</p> <p style="padding-left: 40px;">Responding Parties.</p>	<p>DOCKET NO. ARB-05-6</p>

**ORDER DOCKETING PETITION FOR ARBITRATION, CONSOLIDATING
PETITIONS, AND SETTING PROCEDURAL SCHEDULE**

(Issued December 21, 2005)

On March 31, 2005, Sprint Communications Company L.P. (Sprint) filed a petition with the Utilities Board (Board) requesting the Board arbitrate certain terms and conditions of a proposed Interconnection Agreement between Sprint and 27 rural

incumbent local exchange carriers¹ (hereinafter, RLECs). The petition was filed pursuant to 199 IAC 38.4(3) and 38.7(3) and 47 U.S.C. § 252(b). The petition was identified as Docket No. ARB-05-2.

On May 26, 2005, the Board entered an order dismissing Docket No. ARB-05-2. On June 23, 2005, Sprint filed an action in U.S. District Court, asking the Court to overturn the Board's order. On August 17, 2005, Sprint and the Board filed a joint motion with the Court seeking a limited remand to allow the Board to consider additional evidence on rehearing. The joint motion was granted on August 18, 2005.

On November 28, 2005, the Board issued its "Order on Rehearing," rescinding its May 26, 2005, order, and indicating that upon the return of jurisdiction over this matter from the Court, the docket would be resumed as of the point at which it was interrupted. The Board's rehearing order has been filed with the Court and the Board understands that the Court intends to return jurisdiction to the Board on January 4, 2006.

¹ Ace Communications Group, Clear Lake Independent Telephone Company, Farmers Mutual Cooperative Telephone Co. of Shelby, Farmers Telephone Company, Farmers Mutual Telephone Company, Grand River Mutual Telephone Corporation, Heart of Iowa Communications Cooperative, Heartland Telecommunications Company of Iowa, d/b/a HickoryTech, Huxley Communications, Iowa Telecommunications Services, Inc., d/b/a Iowa Telecom f/k/a GTE Midwest, Kalona Cooperative Telephone, La Porte City Telephone Company, Lehigh Valley Cooperative Telephone Association, Lost Nation-Elwood Telephone Company, Minburn Telecommunications, Inc., Rockwell Cooperative Telephone Association, Sharon Telephone, Shell Rock Telephone Company d/b/a BEVCOMM c/o Blue Earth Valley Telephone Company, South Central Communications, Inc., South Slope Cooperative Telephone Company, Swisher Telephone Company, Van Buren Telephone Company, Ventura Telephone Company, Inc., Villisca Farmers Telephone Company, Webster Calhoun Cooperative Telephone Association, Wellman Cooperative Telephone Association, and West Liberty Telephone Company, d/b/a Liberty Communications

Meanwhile, on August 29, 2005, Sprint filed a petition with the Board requesting arbitration of certain terms and conditions of a proposed Interconnection Agreement between Sprint and North English Cooperative Telephone Company (North English) and Winnebago Cooperative Telephone Association (Winnebago). The petition was filed pursuant to the same provisions of law and has been identified as Docket No. ARB-05-5.

On December 5, 2005, Sprint filed a petition with the Board requesting the arbitration of certain terms and conditions of a proposed Interconnection Agreement between Sprint and Citizens Mutual Telephone Cooperative, Mabel Cooperative Telephone Company, Titonka Telephone Company, Lynnville Telephone Company, and Sully Telephone Association. The petition was filed pursuant to the same provisions of law and has been identified as Docket No. ARB-05-6.

The petition for arbitration in Docket No. ARB-05-6 also requests that the Board consolidate the arbitration requests in Docket Nos. ARB-05-5 and ARB-05-6 with the arbitration requests in Docket No. ARB-05-2 and establish a single procedural schedule, noting that Docket No. ARB-05-2 is an “arbitration proceeding involving the same issues herein, but with different RLECs.” Sprint Petition (Docket No. ARB-05-6), p. 4. According to the petition, Sprint believes that the consolidation will “keep the proceedings on the same procedural schedule and the same timetable for negotiations. Sprint believes this will most efficiently utilize the parties’ resources, avoid multiple hearings, and minimize inconveniences to the parties and the Board.” Sprint Petition, p. 4.

On December 20, 2005, Sprint and all of the respondent parties to the three arbitration dockets filed a joint motion for approval of a proposed procedural schedule. The parties worked with Board staff to prepare the proposed schedule, which is based on the assumption that the Board will regain jurisdiction of Docket No. ARB-05-2 on January 4, 2006. The Board finds the proposed schedule acceptable and will approve it, based on the assumption described above.

IT IS THEREFORE ORDERED:

1. The petition for arbitration filed by Sprint Communications Company L.P. on December 5, 2005, and identified as Docket No. ARB-05-6 is docketed for consideration by the Board.
2. The petitions for arbitration filed by Sprint Communications Company L.P. requesting that terms and conditions be arbitrated between Sprint and various RLECs, identified as Docket Nos. ARB-05-2, ARB-05-5, and ARB-05-6, are consolidated, effective January 4, 2006.
3. The following procedural schedule is established:
 - a. A statement of the issues, agreed upon by the parties, shall be filed on or before January 4, 2006.
 - b. Prepared direct testimony, with the underlying workpapers and exhibits, shall be filed by Sprint on or before January 6, 2006. If a data request is referenced in its prepared testimony, the data request shall be filed as an exhibit.

c. Reply testimony shall be filed by the RLECs on or before January 20, 2006. If a data request is referenced in its prepared testimony, the data request shall be filed as an exhibit.

d. Rebuttal testimony shall be filed by Sprint on or before January 27, 2006. If a data request is referenced in its prepared testimony, the data request shall be filed as an exhibit.

e. A hearing shall be held beginning at 9 a.m. on February 7, 2006, for the purpose of receiving testimony and the cross-examination of all testimony. The hearing shall be held in the Utilities Board 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. Simultaneous initial briefs shall be filed on or before February 21, 2006.

g. Simultaneous reply briefs shall be filed on or before March 3, 2006.

4. 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.

5. 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.

UTILITIES BOARD

/s/ John R. Norris

/s/ Diane Munns

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Curtis W. Stamp

Dated at Des Moines, Iowa, this 21st day of December, 2005.