

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: OFFICE OF CONSUMER ADVOCATE, Complainant, vs. ONE CALL COMMUNICATIONS, INC., Respondent.	DOCKET NOS. FCU-04-54 FCU-04-63 FCU-04-64 FCU-05-1 FCU-05-3 FCU-05-8 FCU-05-12 FCU-05-15 FCU-05-24 FCU-05-25 FCU-05-43 FCU-05-45
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**ORDER DENYING MOTION TO COMPEL DISCOVERY
FILED FEBRUARY 6, 2006**

(Issued February 8, 2006)

On February 6, 2006, the Consumer Advocate Division of the Department of Justice (Consumer Advocate) filed a motion to compel discovery. The Consumer Advocate requested an order compelling One Call Communications, Inc. (One Call) to respond to data requests nos. 102-108 by a date certain in the immediate future. The motion to compel stated that the requests were sent November 28, 2005, that no responses were provided by One Call, and that the Consumer Advocate had repeatedly attempted to resolve the issue without the need for intervention by the Board.

The motion to compel does not include a copy of data requests 102-108 or state what is requested in them. Nor does it provide argument as to why the data requests meet the requirements of the relevant Iowa rules of civil procedure, seek information relevant to the subject matter of this proceeding, and/or seek information that could result in the discovery of admissible evidence. The motion is incomplete and provides no basis for analysis.

IT IS THEREFORE ORDERED:

The "Motion to Compel Discovery" filed by the Consumer Advocate on February 6, 2006, is hereby denied for the reasons set forth in this order.

UTILITIES BOARD

/s/ Amy L. Christensen
Amy L. Christensen
Administrative Law Judge

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

Dated at Des Moines, Iowa, this 8th day of February, 2006.