

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

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<p>IN RE:</p> <p>IOWA TELECOMMUNICATIONS SERVICES, INC., D/B/A IOWA TELECOM,</p> <p style="text-align:right">Complainant,</p> <p style="text-align:center">v.</p> <p>SOUTH SLOPE COOPERATIVE TELEPHONE COMPANY,</p> <p style="text-align:right">Respondent.</p>	<p style="text-align:right">DOCKET NO. FCU-06-25 (DRU-06-1)</p>
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**ORDER SETTING PROCEDURAL SCHEDULE**

(Issued May 12, 2006)

On February 1, 2006, Iowa Telecommunications Services, Inc., d/b/a Iowa Telecom (Iowa Telecom), filed a complaint including a request for declaratory order against South Slope Cooperative Telephone Company (South Slope).<sup>1</sup> On February 14, 2006, South Slope submitted a petition for intervention, a motion to dismiss the declaratory proceeding, a motion to sever the various counts of the complaint, and a motion for an expedited ruling regarding South Slope's obligation to file an answer (in addition to the motion to dismiss that was filed pursuant to 199 IAC 7.9(2)"c").

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<sup>1</sup> In its "Petition for Intervention, Motion to Dismiss, Motion to Sever and Motion for Expedited Ruling," South Slope notes it is properly named South Slope Cooperative Telephone Company.

Iowa Telecom filed its initial pleading as a "Complaint (including Request for Declaratory Order)." In Count I of that pleading, Iowa Telecom stated that the Board should issue a declaratory order ruling that Iowa Telecom is the sole incumbent local exchange carrier (ILEC) and South Slope is a competitive local exchange carrier (CLEC) in Iowa Telecom's Oxford, Solon, and Tiffin exchanges.

Enumerated as Counts II through V of its initial pleading, Iowa Telecom also stated that relief was sought on four other topics. In Count II, Iowa Telecom requested the Board issue an order requiring South Slope to conform its Local Exchange Routing Guide (LERG) entries to associate the numbering resources that it uses to serve customers located in the Oxford, Solon, and Tiffin exchanges with Iowa Telecom's Oxford, Solon, and Tiffin rate centers and that South Slope make all further necessary operational changes to permit Iowa Telecom to serve former South Slope customers in these exchanges who desire to port their numbers to Iowa Telecom.

In Count III, Iowa Telecom requested the Board issue an order requiring South Slope to cease charging the carrier common line charge as a part of its access service charge in these three exchanges and provide notice to any interexchange carrier that made any originating or terminating intrastate access charge payment to South Slope in the prior 24 months that refunds are permitted.

In Count IV, Iowa Telecom requested the Board enter an order directing the parties to restart the clock related to their efforts to negotiate a new interconnection

agreement. Iowa Telecom asked that the clock be restarted at day 140 of the timeline established at 47 U.S.C. § 252(a) and (b).

In Count V, Iowa Telecom stated an order should be issued commencing an investigation into the issue of whether South Slope has been reporting access lines served in these three exchanges as ILEC lines and receiving federal universal service support on such basis.

On March 3, 2006, the Board issued an order declining to issue a declaratory ruling and opened a complaint proceeding. In that order, the Board directed South Slope to file an answer to the complaint.

On March 10, 2006, South Slope filed its answer to the complaint, generally denying all allegations made by Iowa Telecom. Based on these pleadings, the Board finds it appropriate to set a procedural schedule to allow the Board to resolve the issues presented in the pleadings and any other issues that may arise in the course of the proceeding.

**IT IS THEREFORE ORDERED:**

1. The following procedural schedule is established:
  - a. Iowa Telecom shall file prepared direct testimony, with the underlying workpapers and exhibits, on or before May 26, 2006. If a response to a data request is referenced in Iowa Telecom's prepared testimony, the response shall be filed as an exhibit.

b. South Slope shall file prepared reply testimony, with the underlying workpapers and exhibits, on or before June 21, 2006. If a response to a data request is referenced in South Slope's prepared testimony, the response shall be filed as an exhibit.

c. Iowa Telecom may file prepared rebuttal testimony, with the underlying workpapers and exhibits, on or before July 7, 2006. If a response to a data request is referenced in Iowa Telecom's prepared testimony, the response shall be filed as an exhibit.

d. A hearing shall be held beginning at 9 a.m. on July 27, 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, discussing order of witnesses and cross-examination, and any other appropriate prehearing matters. 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. The parties are advised that one day has been scheduled for this hearing.

e. Simultaneous initial briefs shall be filed on or before August 17, 2006.

- f. Simultaneous reply briefs shall be filed on or before September 1, 2006.
2. 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.
3. 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 or response shall file an original and six copies of the data request or 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 12<sup>th</sup> day of May, 2006.