

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE:

IOWA TELECOMMUNICATIONS
SERVICES, INC., d/b/a IOWA TELECOM,

Complainant,

v.

SOUTH SLOPE COOPERATIVE
TELEPHONE COMPANY,

Respondent.

DOCKET NO. FCU-06-25

ORDER TAKING OFFICIAL NOTICE

(Issued August 9, 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).¹ 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"). On March 2, 2006, the Board issued an order declining to issue a declaratory ruling and opened a complaint proceeding.

¹ 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.

Pursuant to Iowa Code § 17A.14(4), the Board will take official notice of a timeline of pertinent information prepared by the Board's staff in preparation for the hearing in this proceeding. This timeline is based on information provided by the parties, on facts officially noticed on August 7, 2006, and on other Board records, as noted. (Attachment A.)

IT IS THEREFORE ORDERED:

The Board will take official notice of a timeline prepared by its staff in preparation for the hearing in this proceeding. The document is attached to this order and identified as Attachment A.

UTILITIES BOARD

/s/ Diane Munns

ATTEST:

/s/ Sharon Mayer
Executive Secretary, Assistant to

/s/ Curtis W. Stamp

Dated at Des Moines, Iowa, this 9th day of August, 2006.

ATTACHMENT A

Staff's Timeline – FCU-06-25

July 14, 1998 – Board issues order granting application in **TCU-98-15** so that South Slope can “provide local exchange service in the Oxford, Solon and Tiffin exchanges which are currently being served by GTE.” There was discussion in the order of an “applicant **other than** a Iowa Code § 476.96(5) ‘local exchange carrier’...” The Board would amend certificate “upon approval of maps and other documentation which will define the service territory where South Slope desires to serve all eligible customers.”

August 28, 1998 – According to NANPA, separate NXXs were assigned in the Solon, Tiffin, and Oxford exchanges (Source - staff call to NANPA – Lori Hershey and Brent Struthers).

December 28, 1998 – South Slope enters interconnection agreement with GTE (NIA-99-2) as a “competitive local exchange service provider” (Exh. DNP-6 at p. 12).

January 1999 – South Slope modifies LERG to associate Oxford, Solon, and Tiffin Telephone numbers with North Liberty (Porter direct at 8).

July 1999 – After GTE objected, South Slope changes the LERG to associate the telephone numbers with Oxford, Solon, and Tiffin. (Porter direct at 8).

July 8, 1999 – Board issues order approving **TCU-99-18** and TF-99-176. In TCU-99-18, South Slope proposed “to serve all requesting subscribers in the three exchanges. However, should a potential subscriber in an area in which construction is not completed request immediate service, it is the intent of South Slope to provide service to the requesting subscriber via leasing of unbundled loops and associated services from GTE until construction to that customer can be completed.” South Slope also concurred in “the GTE service territory maps, which are currently on file with the IUB for these exchanges.”

Regarding TF-99-176, which was also approved by the Board's order, South Slope did not identify Oxford, Solon, and Tiffin as individual exchanges as shown on the GTE maps. Instead, the tariff included the three exchanges as part of South Slope's North Liberty exchange by stating, “the area served includes the existing North Liberty exchange area as well as the same area currently served by GTE in the Solon, Oxford, and Tiffin exchanges.” (Exh. – DL-1)

August 11, 1999 – CLEC OCN 2703 assigned to South Slope (De Witte reply p. 7).

November 2001 – South Slope again changes the LERG to associate the Oxford, Solon, and Tiffin telephone numbers with North Liberty. (Porter direct p. 8).

July 18, 2003 – Board initiates RMU-03-11 proposing a rule that CLECs concurring in the ITA access tariff could not charge intra-exchange carriers the \$0.03 per minute carrier common line charge without cost justification.

December 23, 2003 – According to NANPA, South Slope submitted change orders requesting that the NXXs in Oxford, Solon, and Tiffin be re-assigned to North Liberty. (Documentation provided by NANPA).

February 29, 2004 – Effective date of change orders moving three NXXs from Oxford, Solon, and Tiffin to North Liberty.

March 18, 2004 – Board issues order adopting rules in RMU-03-11. (Generally, only ILECs can now charge the CCLC.)

September 27, 2004 – South Slope asked the FCC to declare it an ILEC in the Oxford, Solon, and Tiffin exchanges. (Porter direct at p. 17)

January 10, 2005 – Staff sends a letter to South Slope concluding its informal investigation into South Slope's charging of the CCLC in Oxford, Solon, and Tiffin. (Exh. JRB-3)

February 11, 2005 – South Slope's CLEC OCN 2703 cancelled. (Exh. DNP-5, p. 4).