

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: MY TEL CO, INC.	DOCKET NOS. TCU-06-8 TF-06-277 WRU-06-23-3864
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**ORDER GRANTING APPLICATION, APPROVING CONCURRENCE IN MAPS,
APPROVING TARIFF, DENYING WAIVER, AND ISSUING CERTIFICATE**

(Issued February 5, 2007)

On October 4, 2006, My Tel Co, Inc. (My Tel), filed an application with the Utilities Board (Board) for issuance of a certificate of public convenience and necessity pursuant to Iowa Code § 476.29, stating its intention to provide local exchange service in the exchanges currently served by Qwest Corporation (Qwest) and Iowa Telecommunications Services, Inc., d/b/a Iowa Telecom (Iowa Telecom). The application has been identified as Docket No. TCU-06-8. My Tel has provided financial statements and the qualifications of its company officers and has stated it will support a 2-PIC dialing methodology for dialing parity. No objections to the application were received.

Also on October 4, 2006, My Tel filed a proposed local exchange tariff with the Board providing the terms, conditions, and rates for local exchange service in listed exchanges as described in the exchange maps and boundaries of Qwest. Revisions to the proposed tariff were filed on January 22 and January 26, 2007. The proposed tariff and its revisions have been identified as TF-06-277.

Iowa Code § 476.29(2) provides that a local exchange carrier shall not be denied a certificate if the Board finds that the applicant "possesses the technical, financial, and managerial ability to provide the service it proposes to render and the board finds the service is consistent with the public interest."

The Board has reviewed My Tel's application and finds the necessary technical, financial, and managerial ability to provide local exchange service has been demonstrated. My Tel has also filed a statement indicating that it commits to utilizing thousand-block number pooling (TBNP), even in areas where TBNP is voluntary, to the extent it is technically feasible to do so.

My Tel also states that its service area will mirror the service territories of exchanges and service area maps of Qwest and Iowa Telecom as they are currently filed and as they may be modified in the future. Iowa Code § 476.29(4) requires that each certificate define the service territory in which landline local telephone service will be provided and authorizes the Board to promulgate rules establishing the requirements for filing maps showing the service territory. Subrule 199 IAC 22.20(3) requires that all utilities have maps on file with the Board that show exchange boundaries. The Board finds that My Tel has complied with the statutory and rule requirements by concurring in the exchange maps of Qwest and Iowa Telecom.

The Board has reviewed the proposed tariff filed on October 4, 2006, and the revisions filed on January 22 and 26, 2007, and finds that the revised tariff substantially complies with Board rules for the filing and processing of tariff pages.

The tariff contains rates for both business and residential customers. Notice was provided to all affected carriers. The Board will approve the tariff effective the date of this order and issue My Tel a certificate of public convenience and necessity concurrent with this order.

My Tel requests the Board waive the requirements of 199 IAC 16.5(2), 18.2, and 22.3(1). The waiver request has been identified as Docket No. WRU-06-23-3864.

My Tel seeks a waiver of 199 IAC 16.5(2). Board rule 16.5 was recently amended, which eliminated subrule 16.5(2). Board rule 16.5 now requires that local exchange utilities keep accounts consistent with generally accepted accounting principles (GAAP). My Tel states that it will maintain its records in accordance with GAAP. My Tel's statement appears to be in substantial compliance with the Board's rule so a waiver of 16.5(2) is not necessary.

My Tel also seeks a waiver of 199 IAC 18.2 regarding the keeping of company records. Board rule 18.2 was recently amended and now requires that a regulated public utility keep its records in Iowa unless otherwise authorized by the Board. My Tel states that it intends to maintain its records outside of Iowa, but asserts that it will make those records readily available to the Board upon request. The Board will authorize My Tel to maintain its records outside of Iowa, based on My Tel's assertion that it will make those records available upon request. My Tel's statement appears to

be in substantial compliance with the Board's rule so a waiver of rule 18.2 is not necessary.

My Tel also seeks a waiver of 199 IAC 22.3(1) regarding the publication of directories. Board rule 22.3(1) was recently amended to allow local exchange carriers to choose not to publish a directory if arrangements are made for publication in a commonly available publication. My Tel states that it will make arrangements with Qwest and Iowa Telecom for the publication of My Tel's customers in the incumbents' directories. My Tel's statement appears to be in substantial compliance with the Board's rule so a waiver of subrule 22.3(1) is not necessary.

IT IS THEREFORE ORDERED:

1. The application for a certificate of public convenience and necessity filed by My Tel Co, Inc., on October 4, 2006, is granted.
2. The concurrence in the maps and boundaries of the exchanges of Qwest Corporation and Iowa Telecommunications Services, Inc., d/b/a Iowa Telecom, is approved.
3. The waiver of 199 IAC 16.5(2), 18.2, and 22.3(1), identified as Docket No. WRU-06-23-3864 is denied because it is moot.
4. The tariff filed by My Tel Co, Inc., on October 4, 2006, and its revisions filed on January 22 and January 26, 2007, identified as TF-06-277, is approved effective the date of this order.

5. A certificate, identified as Certificate No. 0313, is being issued to My Tel Co, Inc., concurrently with this order.

UTILITIES BOARD

/s/ John R. Norris

/s/ Curtis W. Stamp

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

Dated at Des Moines, Iowa, this 5th day of February, 2007.