

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: GAZELLE LINK, LLC	DOCKET NOS. TCU-06-11 TF-06-330 WRU-06-31-3870
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**ORDER GRANTING APPLICATION, APPROVING CONCURRENCE IN MAPS,
APPROVING TARIFF, DENYING WAIVER, AND ISSUING CERTIFICATE**

(Issued February 13, 2007)

On November 17, 2006, Gazelle Link, LLC (Gazelle), 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 Iowa. The application has been identified as Docket No. TCU-06-11. Gazelle 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 November 17, 2006, Gazelle 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 the incumbent local exchange carriers. Revisions to the proposed tariff were filed on February 5, 2007. The proposed tariff and its revisions have been identified as TF-06-330.

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 Gazelle's application and finds the necessary technical, financial, and managerial ability to provide local exchange service has been demonstrated. Gazelle 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.

Gazelle also states that its service area will mirror the exchanges and service area maps of all incumbent local exchange carriers 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 Gazelle has complied with the statutory and rule requirements by concurring in the exchange maps of the incumbent local exchange carriers.

The Board has reviewed the proposed tariff filed on November 17, 2006, and the revisions filed on February 5, 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 Gazelle a certificate of public convenience and necessity concurrent with this order.

Gazelle requests the Board waive the requirements of 199 IAC 16.5(2) and 22.3(1). The waiver request has been identified as Docket No. WRU-06-31-3870.

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

Gazelle 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. Gazelle states that it will make arrangements with the incumbent local exchange carriers for the publication of Gazelle's customers in the incumbents' directories. Gazelle'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 Gazelle Link, LLC, on November 17, 2006, is granted.
2. The concurrence in the maps and boundaries of the exchanges of all incumbent local exchange carriers is approved.
3. The waiver of 199 IAC 16.5(2) and 22.3(1), identified as Docket No. WRU-06-31-3870, is denied because it is moot.
4. The tariff filed by Gazelle Link, LLC, on November 17, 2006, and its revisions filed on February 5, 2007, identified as TF-06-330, is approved effective the date of this order.
5. A certificate, identified as Certificate No. 0314, is being issued to Gazelle Link, LLC, 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 13th day of February, 2007.