

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE:

QWEST COMMUNICATIONS
CORPORATION,

Complainant,

vs.

SUPERIOR TELEPHONE COOPERATIVE;
THE FARMERS TELEPHONE COMPANY OF
RICEVILLE, IOWA; THE FARMERS &
MERCHANTS MUTUAL TELEPHONE
COMPANY OF WAYLAND, IOWA;
INTERSTATE 35 TELEPHONE COMPANY,
d/b/a INTERSTATE COMMUNICATIONS
COMPANY; DIXON TELEPHONE COMPANY;
REASNOR TELEPHONE COMPANY, LLC;
GREAT LAKES COMMUNICATION CORP.;
AND AVENTURE COMMUNICATION
TECHNOLOGY, L.L.C.,

Respondents;

DOCKET NO. FCU-07-2

REASNOR TELEPHONE COMPANY, LLC,

Counterclaimant,

vs.

QWEST COMMUNICATIONS
CORPORATION,

Counterclaim Respondent.

ORDER SHORTENING TIME FOR RESPONSE

(Issued November 28, 2007)

On November 21, 2007, Superior Telephone Cooperative (Superior) and Great Lakes Communication Corp. (Great Lakes) filed with the Utilities Board (Board) a motion for an immediate emergency stay of all proceedings in this docket. In support of their motion, Superior and Great Lakes state that a conflict of interest has arisen involving counsel for Superior and Great Lakes, who also represents an affiliate of Sprint Communications Company L.P. (Sprint) in other matters. Specifically, Superior and Great Lakes state that their attorneys of record in this matter, Kelley Drye & Warren, LLP (Kelley Drye), also represent Sprint in unrelated matters and that Sprint's recent intervention in this proceeding creates a conflict of interest for Kelley Drye that may be in violation of Iowa Rule of Professional Conduct 32:1.7(a). Superior and Great Lakes state that Kelley Drye is in the process of seeking waivers of the conflict, but that until those waivers are obtained, Kelley Drye cannot continue its legal representation of Superior and Great Lakes in this proceeding.

Superior and Great Lakes assert that while local counsel has been acting in a traditional capacity on behalf of Superior and Great Lakes, local counsel does not have the staff available with the necessary experience or resources to represent Superior and Great Lakes in this matter. Superior and Great Lakes claim that they were not aware of the potential conflict until the Board's order issued November 20, 2007, which granted Sprint intervenor status in this proceeding and therefore they did not retain different counsel earlier in the process.

Superior and Great Lakes request the Board immediately stay this proceeding until waivers are obtained or other appropriate steps can be taken. Superior and Great Lakes ask that if waivers are not obtained, the Board stay the proceeding to reconsider its decision allowing Sprint to intervene or until Superior, Great Lakes, and any other Kelley Drye clients affected by Sprint's intervention find new counsel.

Pursuant to 199 IAC 7.12, a party may file a written response to a motion no later than 14 days from the date the motion is filed, unless the time period is shortened by the Board. Because Superior and Great Lakes have requested expedited consideration of its motion, the Board will shorten the time for responses to Superior's and Great Lakes' request and require responses to be filed on or before December 3, 2007.

The Board also seeks additional information from Superior and Great Lakes regarding their best estimate of the specific amount of time they believe will be needed to make the necessary arrangements, assuming that the hearing date already established in this proceeding will not be changed. The Board requests that Superior and Great Lakes submit an estimate of their additional time requirements, with explanation, on or before December 3, 2007.

IT IS THEREFORE ORDERED:

1. Any responses to "Superior Telephone Cooperative's and Great Lake Communication's Motion for Immediate Emergency Stay of All Proceedings" filed on November 22, 2007, must be filed with the Board on or before December 3, 2007.

2. The Board requests Superior Telephone Cooperative and Great Lakes Communication Corp. submit a reasonably detailed estimate of the time requested for a stay of this proceeding on or before December 3, 2007.

UTILITIES BOARD

/s/ John R. Norris

/s/ Krista K. Tanner

ATTEST:

/s/ Sharon Mayer
Executive Secretary, Assistant to

/s/ Darrell Hanson

Dated at Des Moines, Iowa, this 28th day of November, 2007.