

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

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IN RE:  NORLIGHT, INC.	DOCKET NOS. TCU-07-6 WRU-07-27-3027
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**ORDER APPROVING APPLICATION, APPROVING CONCURRENCE IN MAPS,  
AND DENYING WAIVER AS UNNECESSARY**

(Issued December 3, 2007)

On September 4, 2007, Norlight, Inc. (Norlight), 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-07-6. Norlight 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.

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 Norlight's application and finds the necessary technical, financial, and managerial ability to provide local exchange service has been demonstrated. Norlight has also filed a statement indicating that it will commit

to utilizing thousand-block number pooling (TBNP), even in areas where TBNP is voluntary, to the extent it is technically feasible to do so.

Norlight also states that its service area will mirror the exchanges and service area maps of Qwest Corporation (Qwest) 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 Norlight has complied with the statutory and rule requirements by concurring in Qwest's exchange maps.

Also on September 4, 2007, Norlight filed a request for waiver of the requirements of 199 IAC 16.5(2), 18.2, and 22.3(1). The waiver request has been identified as Docket No. WRU-07-27-3027.

Norlight 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). Norlight states that it will maintain its records in accordance with GAAP. Norlight's statement appears to be in substantial compliance with the Board's rule so a waiver of 16.5(2) is not necessary.

Norlight also seeks a waiver of 199 IAC 18.2, which requires its books and records be kept in Iowa, unless otherwise authorized by the Board. Norlight asks to keep its books and records in Evansville, Indiana, its principal place of business, but states that it will make such information available to the Board upon request. The Board will authorize Norlight to keep its books and records in Indiana based on its assurance that those records will be available for Board inspection upon request. Therefore, a waiver of subrule 18.2 is not necessary.

Norlight 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. Norlight states that it will make arrangements with the incumbent local exchange carriers for the publication of Norlight's customers in the incumbents' directories. Norlight'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 Norlight, Inc., on September 4, 2007, is granted.
2. The concurrence in the maps and boundaries of the exchanges of Qwest Corporation is approved.
3. The waiver of 199 IAC 16.5(2), 18.2, and 22.3(1), identified as Docket No. WRU-07-27-3027, is denied because it is moot.

4. The Board will issue a certificate of public convenience and necessity allowing Norlight, Inc., to provide local exchange service upon approval of a tariff reflecting the prices, terms, and conditions of its local exchange service in Iowa.

**UTILITIES BOARD**

/s/ John R. Norris

/s/ Krista K. Tanner

ATTEST:

/s/ Margaret Munson  
Executive Secretary, Deputy

/s/ Darrell Hanson

Dated at Des Moines, Iowa, this 3<sup>rd</sup> day of December, 2007.