

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

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| IN RE: NEXUS COMMUNICATIONS, INC., d/b/a TSI | DOCKET NOS. TCU-07-9 WRU-07-35-3888 |
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**ORDER GRANTING APPLICATION, APPROVING CONCURRENCE IN MAPS,
AND DENYING WAIVER AS UNNECESSARY**

(Issued January 4, 2008)

On October 16, 2007, Nexus Communications, Inc., d/b/a TSI (TSI), 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-07-9. TSI 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 TSI's application and finds the necessary technical, financial, and managerial ability to provide local exchange service has been demonstrated. TSI 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.

TSI also states that its service area will mirror the exchanges and service area maps of Qwest Corporation (Qwest) and Iowa Telecommunications Services, Inc., d/b/a Iowa Telecom (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 TSI has complied with the statutory and rule requirements by concurring in Qwest's and Iowa Telecom's exchange maps.

Also on October 16, 2007, TSI filed a request for waiver of the requirements of 199 IAC 18.2 and 22.3(1). The waiver request has been identified as Docket No. WRU-07-35-3888.

TSI seeks a waiver of 199 IAC 18.2, which requires its books and records be kept in Iowa, unless otherwise authorized by the Board. TSI asks to keep its books and records in Columbus, Ohio, its principal place of business, but states that it will make such information available to the Board upon request. The Board will authorize TSI to keep its books and records in Ohio 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.

TSI 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. TSI states that it will make arrangements with the incumbent local exchange carriers for the publication of TSI's customers in the incumbents' directories. TSI's statement appears to be in substantial compliance with the Board's rules 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 Nexus Communications, Inc., d/b/a TSI, on October 16, 2007, 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 request for waiver of 199 IAC 18.2 and 22.3(1), identified as Docket No. WRU-07-35-3888, is denied because it is moot.

UTILITIES BOARD

/s/ John R. Norris

/s/ Krista K. Tanner

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Darrell Hanson

Dated at Des Moines, Iowa, this 4th day of January, 2008.