

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

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<p>IN RE:</p> <p>QWEST CORPORATION,</p> <p style="padding-left: 100px;">Complainant,</p> <p style="padding-left: 100px;">vs.</p> <p>SOUTH SLOPE COOPERATIVE TELEPHONE COMPANY,</p> <p style="padding-left: 100px;">Respondent.</p>	<p>DOCKET NO. ARB-08-1</p>
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**ORDER AMENDING PROCEDURAL SCHEDULE**

(Issued February 26, 2008)

On February 7, 2008, Qwest Corporation (Qwest) filed a petition with the Utilities Board (Board) requesting the Board approve a proposed interconnection agreement between Qwest and South Slope Cooperative Telephone Company (South Slope). The petition was filed pursuant to 47 U.S.C. § 252 and Board rules 199 IAC 38.4(3) and 38.7(3) and § 252(b). The petition has been identified as Docket No. ARB-08-1.

On February 11, 2008, the Board issued an order docketing Qwest's petition and setting a telephone conference to discuss the procedural schedule and other matters, pursuant to 199 IAC 38.7(3)"g." The telephone conference took place as scheduled on February 12, 2008. Qwest and South Slope were participants in the call.

On February 15, 2008, the Board issued an order setting the procedural schedule in this proceeding. Pursuant to § 252(b)(4)(c), the Board must decide the case no later than nine months after the date on which South Slope received Qwest's request to negotiate. Based on the initial filing, that set the decision deadline at May 30, 2008, and the procedural schedule was developed to accommodate that requirement.

On February 18, 2008, Qwest filed a motion to adjust the date of the initiation of negotiations between the parties. The motion states that Qwest and South Slope agree that negotiations for an interconnection agreement were initiated on September 24, 2007, rather than August 30, 2007, and the parties ask the Board to adjust the procedural schedule accordingly. This would extend the decision deadline to June 24, 2008.

On February 22, 2008, South Slope filed a resistance to the motion stating that the change of date was not agreed to by South Slope.

On February 25, 2008, Qwest filed a motion to adjust the date of initiation of negotiations and for an extension of time to file direct testimony. Qwest states that it previously filed the motion as a joint motion based on e-mail correspondence from South Slope, but that the apparent change of mind by South Slope effectively prevented the entry of a revised procedural schedule in this proceeding and compelled Qwest to file direct testimony on February 22, 2008. Qwest states that it had concentrated its efforts on the on-going negotiations between the parties aimed at reaching agreement or at least clarifying unresolved issues and that it has not

prepared its initial testimony. Qwest seeks a continuance until March 3, 2008, to file its direct testimony.

Also on February 25, 2008, a telephone conference was held for the purpose of discussing the parties' positions regarding the timing of the initiation of negotiations for an interconnection agreement. Qwest, South Slope, and members of Board staff participated in the call. During this conference, the parties verbally agreed that a bona fide request to initiate negotiations for an agreement was received on September 24, 2007, rather than August 30, 2007. Because the parties have agreed that the negotiations were initiated on September 24, 2007, the Board must issue its decision in this proceeding on or before June 24, 2008. An amended procedural schedule will be established to accommodate this deadline.

The Board notes that the parties' agreement to amend the date that the bona fide request was received does not waive their rights with respect to any objections or issues they may have with the request or with these proceedings in general.

**IT IS THEREFORE ORDERED:**

1. The procedural schedule established by order on February 15, 2008, is amended as follows:
  - a. The parties shall simultaneously file prepared direct testimony, with underlying workpapers and exhibits, on or before March 17, 2008.
  - b. The parties shall simultaneously file any rebuttal testimony, with supporting exhibits and workpapers, on or before April 7, 2008.

c. A hearing for the purpose of receiving testimony and cross-examination of all testimony will commence at 9 a.m. on April 22, 2008, in the Board's hearing room at 350 Maple Street, Des Moines, Iowa. Parties shall appear one-half hour prior to the time of hearing to mark exhibits. Persons with disabilities requiring assistive services or devices to observe or participate should contact the Board at 515-281-5256 to request that appropriate arrangements be made.

d. Any party desiring to file a brief may do so on or before May 12, 2008.

e. Any party desiring to file a reply brief may do so on or before May 23, 2008.

f. The Board shall issue a final decision in this docket on or before June 24, 2008.

2. In the absence of objection, all workpapers shall become a part of the evidentiary record at the time the related testimony and exhibits are entered into the record.

3. In the absence of objection, all data requests and responses referred to in oral testimony or cross-examination, which have not previously been filed with the Board, shall become a part of the evidentiary record. The party making reference to the data request or response shall file an original and six copies at the earliest possible time.

4. In the absence of objection, if the Board calls for further evidence on any issue and that evidence is filed after the close of the hearing, the evidentiary record shall be reopened and the evidence will become a part of the evidentiary record five days after filing. All evidence filed pursuant to this paragraph shall be filed no later than five days after the close of the hearing.

5. Pursuant to 199 IAC 7.7(2) and (11), the time for filing responses or objections to data requests and motions will be shortened to five days from the date the motion is filed or the data request is served. All data requests and motions should be served by facsimile or by electronic mail in addition to United States mail.

**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 26<sup>th</sup> day of February, 2008.