

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: IOWA TELECOMMUNICATIONS ASSOCIATION	DOCKET NO. TF-07-125 (TF-07-139)
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**ORDER GRANTING RENEWED MOTION TO COMPEL, GRANTING EXTENSION
OF TIME, AND GIVING NOTICE OF POTENTIAL CIVIL PENALTIES**

(Issued March 7, 2008)

On March 3, 2008, the Board issued an order compelling the Iowa Telecommunications Association (ITA) to produce certain responses and documents requested by Sprint Communications Company L.P. (Sprint) on or before March 5, 2008.

On March 5, 2008, the ITA filed an amendment to the direct testimony of its witness, Burnie E. Snoddy. The amended testimony deleted nine lines from page 5 of Mr. Snoddy's testimony. Although there is no statement to this effect, it appears that the ITA believes this amendment makes it unnecessary for the ITA to comply with the Board's order.

On March 6, 2008, Sprint filed a renewed motion to compel the discovery responses from the ITA. Sprint states that it did not receive a response to the Board's order on March 5, 2008. Sprint suggests that the ITA's amendment to Mr. Snoddy's testimony is inadequate and does not affect Sprint's requests for information from the ITA. Sprint asks the Board to compel the ITA to provide responses to 5 and 7(b) on or before 4 p.m. on March 7, 2008, and complete

responses to the portions of data request 6 that pertain to Mr. Snoddy's work for Iowa local exchange carriers regarding traffic or cost studies, rate design, rate setting, tariff development or filings, or access issues on or before 12 noon on March 10, 2008. Sprint also seeks an extension until March 14, 2008, to file its reply testimony.

The Board will grant Sprint's renewed motion to compel. In its order granting Sprint's motion to compel discovery issued March 3, 2008, the Board explicitly stated in Ordering Clause No. 2:

The Iowa Telecommunications Association is directed to submit complete responses to Data Requests 5, 6, and 7 to Sprint Communications Company L.P. on or before March 5, 2008, as described in this order.

Moreover, as part of its March 3 order, the Board states as follows:

The Board is sympathetic to the ITA's claim to respond to Sprint's requests in their entirety would require Mr. Snoddy to sift through multiple file drawers of documents. Therefore, the Board requires the ITA to provide responses to Sprint's request in general terms so that Sprint's requests are satisfied.

It is clear from Sprint's renewed request that the ITA did not comply with the Board's order. The ITA's March 5 amendment to Mr. Snoddy's testimony does not affect ITA's obligation to respond to Sprint's discovery. Therefore, the Board will direct the ITA to provide complete responses to Sprint's 5 and 7(b) by 4 p.m. on March 7, 2008, and complete responses to data request 6 (excluding the reference to "other accounting matters" included in the original request) by 12 noon on March 10, 2008. Failure to provide the required answers to Sprint as directed may subject the ITA to civil penalties pursuant to Iowa Code § 476.51.

In addition, the Board will grant Sprint and all other interexchange carriers aligned with Sprint an extension until March 14, 2008, to file their reply testimony. All other dates in the procedural schedule will remain the same.

IT IS THEREFORE ORDERED:

1. The renewed motion to compel discovery filed by Sprint Communications Company L.P. on March 5, 2008, is granted as described in this order.

2. The Iowa Telecommunications Association is directed to provide complete responses to Data Requests 5 and 7(b) to Sprint Communications Company L.P. by 4 p.m. on March 7, 2008.

3. The Iowa Telecommunications Association is directed to provide a complete response to Sprint's Data Request 6 (excluding the reference to "other accounting matters" included in the original request) by 12 noon on March 10, 2008.

4. Failure to provide the required answers to Sprint Communications Company L.P. as directed by this order may subject the Iowa Telecommunications Association to civil penalties pursuant to Iowa Code § 476.51.

UTILITIES BOARD

/s/ Krista K. Tanner

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Darrell Hanson

Dated at Des Moines, Iowa, this 7th day of March, 2008.