

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: IOWA TELECOMMUNICATIONS SERVICES, INC., D/B/A IOWA TELECOM	DOCKET NO. WRU-08-14-263
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ORDER GRANTING REQUEST FOR WAIVER

(Issued June 10, 2008)

On April 14, 2008, Iowa Telecommunications Services, Inc., d/b/a Iowa Telecom (Iowa Telecom), filed with the Utilities Board (Board) a request for a waiver of 199 IAC 22.3(1)"a," which requires telephone directories to be published no less than once a year, except when good cause is shown. The waiver request has been identified as Docket No. WRU-08-14-263. No objection to the request has been filed.

In support of its request, Iowa Telecom states that it currently publishes 26 directories and seeks to discontinue publication of the Le Claire, Iowa, directory, which covers Le Claire and Princeton, Iowa. Iowa Telecom states that it proposes to include these listings in the Clinton County, Iowa, directory. Iowa Telecom asserts that the consolidation of the directories will result in a better alignment of the markets served and will include the communities that are part of the same school district. Iowa Telecom states that this proposed consolidation will result in the Le Claire directory being published less than annually on one occasion because the publication date will be delayed from November 2008 to April 2009. Iowa Telecom states that it

will notify customers and advertisers of the consolidation via bill messages, press releases, and sales interviews.

To grant the waiver, the Board must find, based upon clear and convincing evidence, that the request meets the four criteria in 199 IAC 1.3. The four criteria are: 1) the application of the rule would cause undue hardship, 2) the waiver would not prejudice the substantial legal rights of any person, 3) the provisions of the rule are not specifically mandated by statute, and 4) substantially equal protection of public health, safety, and welfare will be afforded by a means other than prescribed by the rule.

The Board finds that a waiver of 199 IAC 22.3(1)"a" should be granted, based on the Board's review of the information provided by Iowa Telecom. The Board finds that it would be an undue hardship for Iowa Telecom to expend resources to publish and distribute a Le Claire directory that would only be used for six months. The Board also finds that granting this waiver will not affect the substantial legal rights of any person and that equal protection of the public health, safety, and welfare have all been afforded since the listings in the Le Claire directory will be included in the Clinton County directory in April 2009.

IT IS THEREFORE ORDERED:

The request for waiver filed by Iowa Telecommunications Services, Inc., d/b/a Iowa Telecom, on April 14, 2008, is granted as described in this order.

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 10th day of June, 2008.