

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE:

SPRINT COMMUNICATIONS COMPANY
L.P.,

Complainant,

vs.

DANVILLE MUTUAL TELEPHONE
COMPANY; DIXON TELEPHONE
COMPANY; READLYN TELEPHONE
COMPANY; VAN HORNE
COOPERATIVE TELEPHONE
COMPANY; WELLMAN COOPERATIVE
TELEPHONE ASSOCIATION; MTC
TECHNOLOGIES; NORTHERN IOWA
TELEPHONE COMPANY; WEBB-
DICKENS TELEPHONE CORPORATION;
MUTUAL TELEPHONE COMPANY;
CENTRAL UTAH COMMUNICATIONS,
d/b/a WRLD ALLIANCE; AND ZONE
TELECOM, INC.,

Respondents.

DOCKET NO. FCU-07-11
(WRU-08-28-293)

ORDER GRANTING REQUEST FOR WAIVER

(Issued July 18, 2008)

On July 3, 2008, Sprint Communications Company L.P. (Sprint) filed a motion with the Utilities Board (Board) seeking a certain degree of flexibility for filing its initial testimony in this docket. Pursuant to a Board order issued May 23, 2008, Sprint's initial testimony in this proceeding was due on or before June 30, 2008. In its motion

before the Board, Sprint states that on June 30, 2008, Sprint filed the direct testimony and supporting exhibits of Regina Roach and James Appleby. Sprint states that based upon discussions with Board staff and upon counsel's recollection of prior practice, Sprint filed ten copies of Ms. Roach's non-confidential testimony and exhibits pursuant to Board rules, but only four copies of the confidential Appleby testimony and exhibits. Sprint states that Mr. Appleby's direct testimony and exhibits consist of approximately 1,500 pages, all of which relate to material that is protected under the protective agreement entered into between Sprint and the Respondents in this proceeding.

Sprint requests a waiver of 199 IAC 7.4(4)"b," which requires that ten copies of direct testimony and supporting exhibits be filed with the Board. Sprint states that the creation of additional copies totaling more than 10,000 pages would be an undue burden and expense to Sprint and a reduced number of copies filed with the Board does not prejudice the rights of any other party to this case. Sprint asks that instead of filing an original and ten paper copies of Mr. Appleby's testimony and supporting workpapers and exhibits as required by 199 IAC 7.4(4)"b," the Board accept the four copies of Mr. Appleby's testimony and exhibits filed on June 30, 2008, as substantial compliance with the Board's rules regarding such filings.

The Board has reviewed Sprint's request and finds that it is reasonable. Sprint asserts that Mr. Appleby's direct testimony and supporting workpapers and exhibits are voluminous. The Board finds that it would be an undue hardship for Sprint to file

additional copies of Mr. Appleby's direct testimony and exhibits and that the waiver will not affect the substantial legal rights of any person. The number of copies the Board receives is not mandated by statute and filing a reduced number of copies of Mr. Appleby's direct testimony and exhibits does not harm the public health, safety, and welfare. The Board also notes that Sprint has agreed to provide the Board with electronic versions of Mr. Appleby's testimony and exhibits should the Board require additional access to that information. Therefore, the Board will grant the waiver of 199 IAC 7.4(4)"b" as requested.

IT IS THEREFORE ORDERED:

The request for waiver filed by Sprint Communications Company L.P. on July 3, 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 18th day of July, 2008.