

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: QWEST CORPORATION	DOCKET NO. INU-08-2
---------------------------------	---------------------

ORDER AMENDING SERVICE REQUIREMENT

(Issued September 19, 2008)

On September 11, 2008, the undersigned administrative law judge issued an order setting a prehearing conference in this docket for September 30, 2008, and requiring Qwest Corporation (Qwest) to serve a copy of its petition in this docket on all registered local exchange carriers in Iowa. The order required service of the petition because Qwest argued in its petition that this proceeding should be binding on every registered local exchange carrier in Iowa, including those that receive notice of the proceeding but choose not to participate. The order allowed Qwest to serve its petition electronically. The order also stated that who must be bound by the decision is an issue to be decided in the proceeding.

Following electronic mail correspondence in which Qwest sought clarification of the service requirement, Qwest filed an errata filing to its petition on September 17, 2008. In its errata filing, Qwest clarified that its intent is to limit any binding effect of the Board's rulings in this docket solely to competitive local exchange carriers (CLECs) operating in Iowa. Qwest stated that: "it does not seek to have any rulings

in this docket have any impact or binding effect on any of the many independent companies in Iowa that are considered Incumbent Local Exchange Carriers (ILECs)."

In its e-mail requesting clarification of the service requirement, Qwest also requested permission to send Iowa CLECs a letter providing notice of Qwest's petition and referring them to Qwest's Web site, on which Qwest's petition would be posted, instead of serving them with the petition itself. The undersigned granted this request.

In a subsequent e-mail sent September 17, 2008, Qwest stated that it would be posting the petition and the errata on its Web site that day. Qwest further stated that it would mail a letter to all CLECs in Iowa giving them notice of the petition and errata and providing the appropriate Web site address.

A copy of all e-mail correspondence between Qwest and the undersigned has been placed in the Board's Records and Information Center file.

IT IS THEREFORE ORDERED:

1. Rulings, orders, and decisions in this docket will not be binding on any ILEC in Iowa. There is the potential that rulings, orders, and decisions in this docket will be binding on all CLECs in Iowa, depending on how the issue is decided.

2. The service requirement imposed on Qwest in the "Order Setting Prehearing Conference and Requiring Service of Petition" issued September 11, 2008, is hereby modified. If it has not already done so, Qwest must post its petition and the errata on its Web site and serve a letter notifying all CLECs in Iowa of the

petition and errata. In the letter, Qwest must notify the CLECs of its request that all orders and rulings in the case be binding on all CLECs in Iowa, including those that receive notice of the proceeding but choose not to participate, and that the undersigned has ruled that who will be bound by the decision is an issue to be decided in the case. Qwest does not need to serve a copy of the letter on the ILECs in the state, unless an ILEC is also operating as a CLEC in some exchanges in Iowa.

3. A copy of this order will be sent to all registered local exchange carriers in Iowa. This is the last order in this docket that will be served on all Iowa registered local exchange carriers. In the future, Board orders will only be sent to the parties in the case. Currently, the parties are Qwest and the Consumer Advocate Division of the Department of Justice. Any person who wishes to become a party must follow the requirements of the Board's intervention rule at 199 IAC 7.13.

UTILITIES BOARD

/s/ Amy L. Christensen
Amy L. Christensen
Administrative Law Judge

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

Dated at Des Moines, Iowa, this 19th day of September, 2008.