

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

<p>IN RE:</p> <p>MCIMETRO ACCESS TRANSMISSION SERVICES LLC, d/b/a VERIZON ACCESS TRANSMISSION SERVICES AND MCI COMMUNICATIONS SERVICES, INC., d/b/a VERIZON BUSINESS SERVICES,</p> <p style="text-align:center">Complainant,</p> <p>vs.</p> <p>AVENTURE COMMUNICATION TECHNOLOGY, LLC,</p> <p style="text-align:center">Respondent.</p>	<p>DOCKET NO. FCU-08-18</p>
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ORDER DOCKETING FOR FURTHER REVIEW, DENYING REQUEST FOR IMMEDIATE DISCONTINUATION OF SERVICE, AND GRANTING MOTIONS TO EXTEND TIME

(Issued November 20, 2008)

On October 23, 2008, MCImetro Access Transmission Services, LLC, d/b/a Verizon Access Transmission Services and MCI Communications Services, Inc., d/b/a Verizon Business Services (collectively "Verizon"), filed with the Utilities Board (Board) a request to revoke the certificate of public convenience and necessity issued to Aventure Communication Technology, LLC (Aventure), on January 30, 2006, identified as Certificate No. 0301. Verizon states that in its application for a certificate, Aventure represented to the Board that it intended to provide competitive

local exchange telecommunication service within Iowa and that based on these and other representations by Aventure, the Board approved Aventure's application.

Verizon asserts that despite Aventure's representations to the Board, the business model currently being used by Aventure does not include providing local service to Iowa residential and business customers, but instead appears to have been based upon improperly extracting inflated switched access charges from long distance carriers such as Verizon.

Verizon states that Iowa Code § 476.29 provides the Board with the authority to revoke certificates of public convenience and necessity when, among other reasons, a public utility fails to furnish reasonably adequate telephone service. Verizon argues that revocation of Aventure's certificate is appropriate because Aventure has failed to provide reasonably adequate telephone service to Verizon and residential and business customers in Iowa and the service Aventure provides appears to violate multiple provisions of Iowa law as well as Aventure's tariffs. Verizon asks that the Board revoke Aventure's certificate and allow Verizon to immediately discontinue service to Aventure's exchanges.

On November 5, 2008, Aventure filed a motion to extend time to respond to Verizon's complaint. Aventure states that its counsel is unavailable until November 7, 2008, and therefore, requests an extension of time until November 14, 2008, to file a meaningful response to Verizon's complaint.

On November 14, 2008, Aventure filed a second motion to extend time to file a response. Aventure states that due to counsel's unavailability, local counsel and regulatory counsel have had difficulty coordinating a prepared response for filing and

request an extension to November 20, 2008, to allow for sufficient time to prepare a response to Verizon's complaint

The Board will docket Verizon's complaint for further review and will grant Aventure's motions for an extension of time. The Board notes that in addition to revocation of Aventure's certificate, Verizon requests immediate disconnection of access service to Aventure's exchanges. The Board has previously held that absent unique circumstances, economic disputes between carriers do not rise to the level of an immediate danger to public health, safety, and welfare, so long as no party is threatening to block emergency calls as a response to the economic dispute. The Board finds that Verizon's request does not demonstrate unique circumstances that would justify an immediate disconnection of service to Aventure's exchanges. Therefore, the Board will deny Verizon's request for immediate disconnection.

IT IS THEREFORE ORDERED:

1. The request for revocation of certificate and discontinuance of service filed by MCImetro Access Transmission Services, LLC, d/b/a Verizon Access Transmission Services and MCI Communications Services, Inc., d/b/a Verizon Business Services (collectively "Verizon"), on October 23, 2008, is docketed for further investigation as described in this order. Verizon's request for immediate discontinuance of service is denied.

2. The motion to extend time filed by Aventure Communication Technology, LLC, on November 5, 2008, is granted.

3. The motion to extend time filed by Aventure Communication Technology, LLC, on November 14, 2008, is granted.

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 20th day of November, 2008.