

**STATE OF IOWA
DEPARTMENT OF COMMERCE
BEFORE THE IOWA UTILITIES BOARD**

**FILED WITH
Executive Secretary
September 17, 2014
IOWA UTILITIES BOARD**

<p>INTRADO COMMUNICATIONS, INC.,</p> <p style="text-align:center">Complainant,</p> <p style="text-align:center">v.</p> <p>QUEST CORPORATION d/b/a/ CENTURLINK QC,</p> <p style="text-align:center">Respondent.</p>	<p style="text-align:center">DOCKET NO. FCU-2014-0011</p>
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INTERVENERS' JOINT RESISTANCE TO WITHDRAWAL OF COMPLAINT

COME NOW the Polk County Joint E911 Service Board (“Polk County”) and Black Hawk County E911 Service Board (“Black Hawk County”) (hereinafter collectively “Intervenors”), by and through undersigned counsel, and hereby enter a limited resistance to the Motion to Withdraw Complaint filed by Intrado Communications, Inc. (“Intrado”) on September 16, 2014. In support thereof, Intervenors state as follows:

1. On June 9, 2014, Intrado filed a complaint against Qwest corporation d/b/a CenturyLink QC (“CenturyLink”) alleging multiple violations of Iowa Code § 476.
2. On June 16, 2014, Intrado waived its right to a decision within 90 days in order to accommodate an expedited procedural schedule and allow the Iowa Utilities Board (“Board”) to issue its decision on or before October 6, 2014.
3. Polk County petitioned to intervene because the proceedings greatly impact the E911 Service Board’s policies and emergency service plan. The Board granted Polk County’s petition on July 3, 2014.

4. The Black Hawk County E911 Service Board (“Black Hawk County”) petitioned to intervene on June 27, 2014 because no other adequate means to protect its interests exists other than intervention. The Board granted Black Hawk County’s request on July 3, 2014.

5. A hearing on the matter was held on August 20, 2014. Polk County and Black Hawk County submitted prefiled testimony and responded to discovery. Both Interveners were present and participated fully in the hearing.

6. Pursuant to the revised procedural schedule, briefs are to be filed on September 18, 2014.

7. On September 16, 2014, Intrado moved to dismiss the Complaint in this matter without prejudice, indicating a renewed partnership with CentruLink is in the best interest of the public safety community and citizens of Iowa.

8. Interveners unquestionably support such a reunification. The current state of emergency services in Iowa is reliable and has a record of achieving unsurpassed accuracy in locating and responding to emergency calls from citizens.

9. However, the public safety interest at stake requires Interveners respectfully resist the Withdrawal on the current record before the Board. There is currently no executed settlement to provide assurance to Iowa PSAPs that the public is not at risk of damages from sudden and involuntary migration of citizen records and subsequent recommenced proceedings before the Board should the parties’ reunification fail. Interveners respectfully request the Board grant the relief requested in the Opposition filed by the Office of Consumer Advocate on September 16, 2014.

10. Specifically, Interveners request a brief extension of the procedural schedule to allow completed settlement. Interveners further request confirmation on the record that

settlement or other resolution of the matter is finalized as a condition to dismissal. To the extent the Board finds withdrawal of the complaint to be in the public's best interest, Intervener further requests the dismissal be with prejudice to avoid additional substantial expenditure of public funds to resolve this matter.

WHEREFORE, the Polk County Joint E911 Service Board and Black Hawk County E911 Service Board respectfully requests the Board briefly extend the procedural schedule in this matter to allow for a finalized settlement, a statement that settlement has been reached to be entered on record by both parties, and that any dismissal be granted with prejudice.

Respectfully submitted,

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E911 SERVICE BOARD

Original Electronically Filed.