

**STATE OF IOWA
IOWA UTILITIES BOARD**

In Re: Skybeam, LLC)	
)	
)	Docket No.
Application for Designation as a Eligible)	
Telecommunications Carrier for Purposes of)	WRU-2014-0018-4424
Receiving Federal Universal Service Support)	
For the purpose of participating in the FCC's)	
Rural Broadband Experiment program)	
)	
)	
)	

VERIFIED MOTION FOR WAIVER OF REQUIREMENTS

Skybeam LLC ("Skybeam"), through its attorney, Thomas H. Rowland, respectfully requests a waiver of specific Iowa Administrative Code sections related to Skybeam's Applications for ETC status. In support of this motion, Skybeam states as follows

1. This application requests ETC designation for the specific purpose of being eligible to receive funding under the Rural Broadband Experiment program.
2. This Iowa Utilities Board's ("IUB") rules for ETC designation require applicants to meet certain rules based upon 47 CFR 54.201 and 47 CFR 54.202.
3. The rules in 47 CFR 54.201 apply to carriers seeking ETC designation from a state commission and from the FCC.
4. The rules in 47 CFR 54.202 are applicable to carriers that are requesting ETC designation from the FCC pursuant to Section 214(e)(6) of the Federal Telecommunications Act, which applies to carriers that are not subject to the jurisdiction of a state commission.

5. Skybeam requests a waiver of Iowa requirements related to a “network improvement and maintenance plan” (199 IAC 39.2(3)(e), 199 IAC 39.5(476)(8), (9)), which are based on 47 CFR 54.202.

6. The FCC’s *Rural Experiments Order* contains build-out requirements for the Rural Broadband Experiments program that Skybeam was required to meet in order to become eligible for that program. Thus, it has addressed the issues related to network improvement in the manner adopted by the FCC for participants in the Rural Broadband Experiment program.

7. Given the limited nature of the authority requested by Skybeam, compliance with some of the other provisions of the Board's rules for ETC designation would be burdensome and costly to the company yet they would provide no benefit to customers.

8. Skybeam understands that IUB rules for ETCs are currently in the process of amendment, that review is not yet complete, and that certain sections of the Iowa Administrative Code may be changed pursuant to the IUB’s review.

9. Upon the filing of this application, Skybeam intends to work with the Staff of the Board to determine if there are other rules that may be appropriate for waiver, given the nature of the broadband and voice application.

WHEREFORE, on behalf of Skybeam, Counsel respectfully requests that the Iowa Utilities Board grant Skybeam waivers of Iowa Administrative Code section (199 IAC 39.2(3)(e), 199 IAC 39.5(476)(8), (9)) as inapplicable to establishing qualification for ETC status for purposes of the Rural Broadband Experiment program.

Dated: December 22, 2014

Respectfully submitted,

s/ Thomas H. Rowland

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Subscribed to and sworn to
Before me this 22nd day of December 2014

OFFICIAL SEAL
LORENA ORTEGA
Notary Public - State of Illinois
My Commission Expires Jun 26, 2017