

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  NORTHERN IOWA COMMUNICATIONS PARTNERS, L.L.C.	DOCKET NO. TCU-2015-0006
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**ORDER GRANTING APPLICATION AND APPROVING CONCURRENCE IN MAPS**

(Issued July 30, 2015)

On May 27, 2015, Northern Iowa Communications Partners, L.L.C. (NICP), filed with the Utilities Board (Board) an application for a certificate of public convenience and necessity (CPCN) to provide local exchange telecommunications service in Iowa, pursuant to Iowa Code § 476.29 (2015). The application was identified as Docket No. TCU-2015-0006. On July 17, 2015, NICP filed a supplemental statement providing additional information in response to questions from Board staff.

NICP seeks authority to provide competitive local exchange telecommunications service in Iowa in the following local exchange areas currently served by Qwest Corporation d/b/a CenturyLink QC (CenturyLink) or Windstream Iowa Communications, Inc. (Windstream): the Estherville, Spencer, Spirit Lake, and Algona exchanges (the CenturyLink exchanges) and the Swea City and Emmetsburg exchanges (the Windstream exchanges). NICP states it accepts the exchange area boundaries shown on maps previously filed by or concurred in by CenturyLink and Windstream for these exchanges. NICP concurs in and adopts the exchange area

maps and boundaries for the specified exchanges as NICP's initial service area and states it will accept and adopt any future revisions to those maps made by the incumbent local exchange carriers (ILECs).

NICP explains its service offering will include wholesale and retail telecommunications and transport services, including dedicated and switched access services, private line services, enhanced and advanced data communications service and voice telecommunications services, including residential and business local exchange and interexchange services. NICP explains it plans to provide service primarily using its own facilities; where its facilities are not available, it will offer services by resale or purchase of unbundled network elements from the ILEC.

NICP is a limited liability company organized and authorized to conduct business under the laws of the state of Iowa, as shown by the Certificate of Existence issued by the Iowa Secretary of State attached to the application. NICP maintains its corporate headquarters and principal place of business in Terril, Iowa. NICP explains that its equity owners include nine independent Iowa telephone companies (the Member Companies), with each holding an equal ownership percentage. Each Member Company either holds its own CPCN or is an affiliate of a carrier with a CPCN.

Iowa Code § 476.29(1) provides that a utility must have a CPCN issued by the Board before furnishing local telephone service in Iowa. Iowa Code § 476.29(2) provides that the Board shall not deny an application for a CPCN if the Board finds that the applicant possesses the technical, financial, and managerial ability to provide the proposed service and the Board finds that the service is in the public interest.

With respect to technical qualifications, NICP explains that the local exchange service it proposes will satisfy the Board's technical and service quality standards. NICP states that as a provider of video and high-speed data service, it currently owns or leases facilities in several service areas and plans to install advanced equipment and construct additional facilities needed to connect the local service customers it intends to acquire.

NICP provided financial statements and the qualifications of its company officers. NICP explains that its managers are the general managers, officers, and other management-level employees of the Member Companies, and asserts they possess the business and technical knowledge needed to successfully operate the proposed telecommunications service.

NICP indicated it will provide 2-PIC dialing parity to allow access to interLATA and intraLATA long-distance services and confirmed it will comply with the Board's customer relations rules at 199 IAC 22.4. NICP asserts that granting its application for a CPCN is in the public interest because doing so would expand the availability of competitive telecommunications services in Iowa by allowing NICP to compete to offer the latest services and technologies to consumers.

In an informational order issued on May 30, 2014, in Docket No. RMU-2014-0003, the Board explained that in light of changes to Iowa Code chapter 476 adopted by the Iowa General Assembly in 2014, new applications for CPCNs filed after May 14, 2014, should no longer include proposed local exchange tariffs. The Board also explained that local exchange carriers are expected to make the rate and

service information previously included in local exchange tariffs accessible to customers by providing that information in another medium.

NICP commits to making the rate information and terms and conditions of its service and a list of the exchanges it will serve available on the website or online catalog of one or more of its Member Companies. NICP commits to providing thousands-block number pooling where technically feasible. NICP will maintain its books and records in Iowa and will make its customer and accounting records available to the Board in accordance with applicable Board rules. NICP will publish its own directory or make arrangements with the ILECs for publication of NICP's customers in the ILECs' directories.

NICP provided notice to affected carriers, as required by Iowa Code § 476.29(2) and the Board's rule at 199 IAC 22.20(4). The Office of Consumer Advocate (OCA), a division of the Iowa Department of Justice, filed an initial appearance in this docket on June 8, 2015. On July 2, 2015, OCA filed a statement indicating it does not object to NICP's application. No objections to the application have been filed with the Board.

The Board has reviewed NICP's application and supplemental filing. The Board finds that NICP has demonstrated it has the necessary technical, financial, and managerial ability to provide local exchange service. The Board finds that the service NICP proposes is consistent with the public interest. The Board will grant NICP's application and issue a CPCN.

**IT IS THEREFORE ORDERED:**

1. The application for a certificate of public convenience and necessity filed on May 27, 2015, by Northern Iowa Communications Partners, L.L.C., as supplemented on July 17, 2015, and identified as Docket No. TCU-2015-0006 is granted.

2. The concurrence by Northern Iowa Communications Partners, L.L.C., in the maps and boundaries of Qwest Corporation d/b/a CenturyLink QC and Windstream Iowa Communications, Inc., for the specified exchanges is approved.

3. The Board will issue a certificate of public convenience and necessity, identified as Certificate No. 0378, to Northern Iowa Communications Partners, L.L.C., concurrently with this order.

**UTILITIES BOARD**

/s/ Geri D. Huser

/s/ Elizabeth S. Jacobs

ATTEST:

/s/ Trisha M. Quijano  
Executive Secretary, Designee

/s/ Nick Wagner

Dated at Des Moines, Iowa, this 30<sup>th</sup> day of July 2015.