

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

<p>IN RE:</p> <p>AMENDMENTS TO TELECOMMUNICATIONS SERVICE REGULATIONS [199 IAC 22]</p>	<p>DOCKET NO. RMU-2015-0002</p>
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ORDER COMMENCING RULE MAKING

(Issued May 18, 2016)

On March 20, 2015, the Utilities Board (Board) issued an “Order Commencing Rule Making” in Docket No. RMU-2014-0003, which initiated amendments to 199 IAC chapters 22 and 26 relating to the elimination of retail tariff requirements for local exchange carriers (LECs). While that rule-making proceeding focused primarily on the removal of certain retail tariffing requirements from the Board’s rules, the Board acknowledged in its March 20, 2015, order that a workshop process may be beneficial before addressing additional modifications to the Board’s rules that would address technology-neutral standards applicable to wireline, Voice over Internet Protocol (VoIP), and other types of voice communications services.

Also during the course of the proceeding in Docket No. RMU-2014-0003, other rules were identified for possible updating in a subsequent rule making. Specifically, the definitions of the terms “communications services,” “telecommunications services,” “telephone services,” and “demarcation point” were identified for possible

modification as well as the rules regarding telephone directories and the carrier common line charge (CCLC).

The Board held a workshop on October 27, 2015, and invited interested persons and Board staff to discuss issues relating to changes to the Board's administrative rules in 199 IAC chapter 22. Specifically, the Board sought discussion regarding technology-neutral standards for landline voice services, telephone directories, originating CCLC, and definitions. The Board also invited participants to identify any other rules in 199 IAC chapter 22 that may be in need of amendment.

At the conclusion of the workshop, the Board offered an opportunity for participants to file written comments memorializing their positions on issues discussed at the workshop, responding to new issues raised at the workshop, or responding to the positions of other participants expressed at the workshop. Comments were received from the Iowa Communications Alliance (ICA), Windstream Iowa Communications, Inc. (Windstream), CenturyLink, Inc. (CenturyLink), Voice on the Net Coalition (VON), AT&T Corp. and Teleport Communications America, LLC (collectively, AT&T), T-Mobile Central L.L.C. (T-Mobile), Dex Media, Inc. (Dex Media), and the Office of Consumer Advocate (OCA), a division of the Iowa Department of Justice.

After reviewing the comments it received, the Board issued a proposed Notice of Intended Action on January 29, 2016, identifying proposed changes to 199 IAC chapter 22 and seeking comments on the proposals. As part of that order, the Board discussed suggestions made by participants in the workshop and in the written

comments and offered specific proposed rule changes. In addition to the proposed changes, the Board identified some of the suggestions for rule changes received by participants that the Board was proposing not to adopt at that time as well as more general issues where the Board requested additional comments.

Additional comments regarding the Board's January 29, 2016, order were received from CenturyLink, Dex Media, T-Mobile, Windstream, AT&T, Verizon, VON, ICA, and OCA. The Board has reviewed the comments and proposes to amend and rescind several rules throughout chapter 22. The Board's Notice of Intended Action, which is attached to this order, proposes revisions to the Board's rules in 199 IAC chapter 22 that reflect comments and suggestions received from the participants in this proceeding, eliminate obsolete and unnecessary requirements, and reflect the Board's objective to adopt rules that apply to all telecommunications services and minimize the regulatory burden on the industry as a whole.

In addition to the proposed rule revisions, the Board seeks additional comment regarding its continued regulatory approach to VoIP and whether the proposed changes to chapter 22 achieve a neutral regulatory application to varying technologies providing local exchange services. Specifically, the Board is interested in receiving comments that may include, but are not limited to, information regarding the status of local exchange service competition in Iowa, the availability of VoIP services throughout Iowa, whether investment in IP networks has been inhibited by the Board's current regulatory approach over VoIP services, whether additional investments are planned for IP networks, the kinds of services that would be offered

if VoIP is outside the Board's authority, the functional differences between nomadic and non-nomadic VoIP services, and whether the proposed rule changes create a more level regulatory field for the provision of local exchange service regardless of the technology used to provide that service.

Summary of Proposed Revisions

1. Amend subrule 199-22.1(3) Definitions

Several definitions in this subrule have been recommended for revision or deletion. ICA suggested modifying the definition of the term, "demarcation point," and the Board proposes to adopt the language proposed by ICA to replace the definition in the subrule.

The Board also recommends striking the definitions of "Average busy-season, busy-hour traffic," "Busy-hour," "Busy-season," "Central office," "Central office access line," "Channel," "Extended area service," "Outside plant," "Percentage of fill," "Primary service," "Protector," "Secondary service," "Telephone station," "Terminal equipment," "Toll connecting trunks," and "Traffic grade of service" and removing the terms where they appear throughout this chapter. These definitions are no longer technology-neutral.

2. Amend subrule 22.1(6) Deregulation actions

Subrule 22.1(6)(a) identifies various services that have been deregulated by Board proceedings. The Board proposes to add telecommunications services that are provided by VoIP technology to this list.

3. Amend subrule 22.2(6) Information to be filed with the board

Paragraph 22.2(6)(a) requires each utility to file with the Board the name, title, address, and telephone number of the person who is authorized to receive, act upon, and respond to communications from the Board in connection with certain management duties and service outages. Paragraph 22.2(6)(b) requires carriers to submit a copy of any new directories that are being distributed to customers.

The Board proposes to delete subparagraph 22.2(6)(a)(4) regarding outages. The Board's outage reporting requirements in 22.2(8) were rescinded in 2010, which makes 22.2(6)(a)(4) obsolete. The Board also proposes to eliminate the requirement that carriers file a copy of new directories with the Board identified in paragraph 22.2(6)(b).

4. Amend rule 22.3 General Service Requirements

The Board proposes to amend rule 22.3 regarding general service requirements by rescinding subrules 22.3(1) *Directories*, 22.3(2) *Service check*, 22.3(5) *Pay telephone services and facilities*, 22.3(6) *Extension plan*, and 22.3(11) *Assignment of numbers*.

Rule 22.3 identifies several requirements applicable to providers of local exchange service including directories, service checks, pay telephone services, extension plans, nonworking numbers, and number assignments.

With respect to the directory requirements in 22.3(1), the Board has considered the workshop discussions and the comments received regarding the continued need for printed directories and proposes to eliminate the requirements at

this time. The Board agrees with CenturyLink, ICA, and Dex Media that as telecommunications service customers transition from printed to online services, telephone directories have become less relevant in many markets. The Board also proposes an alternative rule under subrule 22.4(1) requiring utilities that are no longer providing a printed directory to develop a plan to help requesting customers transition from printed directories to digital, online, or other alternatives and file that plan with the Board for information purposes only.

ICA suggests that several of the telephone utility general service requirements in this rule are either outdated or do not accommodate emerging telecommunications technologies, and the Board agrees. Specifically, the requirement in 22.3(2) that directs utilities to perform service checks up to the demarcation point and the pay telephone rule in 22.3(5) appear to be obsolete, along with the extension plan rules in 22.3(6) and the assignment of telephone numbers in 22.3(11).

5. Amend subrule 22.4(1) Customer Information

The Board proposes to amend subrule 22.4(1) by modifying the language of 22.4(1)(a)(2) to grammatically conform with the rule construction. In addition, the Board proposes to amend subrule 22.4(1) by adding a new paragraph that requires utilities no longer providing a printed directory to develop a plan to help requesting customers transition from printed directories to another media.

6. Amend subrule 22.4(2) Customer Deposits

The Board proposes to amend paragraph 22.4(2)(a) by adding language to clarify that pursuant to federal regulations in 47 CFR § 54.401(c), utilities may not collect a deposit in order to initiate Lifeline service to qualifying customers.

In addition, ICA suggested that the Board examine subrule 22.4(2)(b) and the requirement that interest on customer deposits be computed at 4.0 percent per annum, compounded annually. ICA suggested the Board consider using an interest rate based on a prevailing federal benchmark. However, the Board is interested in maintaining consistency across all utility industries with respect to interest on customer deposits.

Board subrule 19.4(3) relates to interest on customer deposits for services supplied by gas utilities. That subrule provides that interest on customer deposits shall be computed at 7.5 percent per annum, compounded annually. In addition, Board subrule 20.4(4) relates to interest on customer deposits for services supplied by electric utilities and also requires that interest on customer deposits shall be computed at 7.5 percent per annum, compounded annually. The Board will amend subrule 22.4(2)(b) to reflect the same interest rate on customer deposits for services supplied by telecommunications utilities as is found in Board subrules 19.4(3) and 20.4(4).

7. Rescind Rule 22.5 Telephone utility service standards.

Rule 22.5 identifies specific adequacy standards relating to the provision of telecommunications services. These standards appear to relate primarily to legacy landline technologies. In both the workshop and the post-workshop comments, the participants unanimously agreed that significant changes need to be made to this rule to make them applicable to other technologies. Specifically, CenturyLink suggested that the Board eliminate subrules 22.5(2) through 22.5(11) as they have become increasingly less relevant as TDM-based services and circuit switched networks transition to IP-enabled services and packet switched networks. These subrules specify technical service requirements like dial tone availability and adequacy of interoffice trunks and do not appear to be necessary or relevant at this time.

The Board agrees with the participants that these telephone utility standards can be eliminated. Rescinding these rules is a move away from the specific standards associated with legacy landline technologies to general standards that are technology neutral.

8. Amend rule 22.6(476) Standards of quality of service

Rule 22.6 identifies basic standards of service quality, including service connections, held orders, service interruptions, emergency operations, and business offices. Both CenturyLink and ICA state in their post-workshop comments that these service quality standards should be amended to make them more adaptable to services provided by means of emerging technologies. CenturyLink also states that

the Board should consider eliminating all rules setting expectations for service connections and held orders since the telephone utilities have every incentive in the current competitive market to provide service as quickly as possible or lose those customers to competition.

The Board proposes to amend rule 22.6 to eliminate the requirement to measure service connection, held order, and service interruption performance. The Board proposes to continue requiring carriers providing local exchange voice services to track service connections and held orders, but will move those tracking requirements to subrule 22.4(1) where additional reporting and tracking requirements are identified.

The Board also proposes to eliminate the alternative service obligations in 22.6(2)(c) and (d). These obligations and their assorted costs appear to negatively impact incumbent local exchange carriers (ILECs) and few, if any, competitive local exchange carriers (CLECs).

The Board proposes to delete the term “primary service” from the subrules under 22.6. These terms and their definitions in 22.1(3) date back to a time when it was common for residential customers to subscribe to multiple landlines, such as a main voice line, a teen line, a FAX line, a dial-up Internet line, and the like. The “primary” and “secondary” service definitions provide a distinction in service obligations which is no longer relevant.

Subrules 22.6(3) and 22.6(4) establish restoration metrics for carriers to follow in the event of service interruptions and missed repair appointments. Some

comments received in this proceeding argue that these subrules could be eliminated because in today's current competitive market, telephone utilities have every incentive to provide good service or they could lose their customers to competition. The Board agrees and will propose to rescind the restoration of service measurements of subrule 22.6(3) and 22.6(4). However, the Board believes that standard record-keeping on service interruptions is important. The Board proposes to continue requiring carriers providing local exchange voice services to track service interruptions and held orders, but will move those tracking requirements to subrule 22.4(1), where additional reporting and tracking requirements are identified.

Subrule 22.6(5) identifies requirements for carriers to follow in emergency situations. ICA recommended that the rules be amended to accommodate the FCC's newly-adopted emergency operation rules in 47 C.F.R. § 12.5. The FCC issued a report on August 6, 2015, which adopted new back-up power rules pertaining to any residential landline customer, including those served by newer technologies that are not line-powered from the central office. Traditional copper-based telephone technology functions during a power outage by use of battery power in the central office, but newer voice technologies that are not line powered will not function during a power outage without other equipment. This affects all services, including access to emergency 911 (E911) services. Under the new FCC rules, service providers must disclose the power outage limitations at the point of sale and offer the subscriber the option to purchase on-site back-up power systems.

The Board proposes that paragraphs 22.6(5)(b)-(d) be removed from the rule. Since the requirements identified in these paragraphs, and others not identified, are required by the FCC in 47 C.F.R. § 12.5, the Board will not restate those requirements here.

Subrule 22.6(6) establishes requirements for local exchange carriers with respect to the location and operation of their business offices. ICA recommends deleting these requirements and the Board agrees. This subrule appears to relate specifically to a “brick and mortar” business model and does not support online business offices or call centers. Under certain marketplace conditions, it is unclear whether all of the CLECs in Iowa can comply with the current rule. Therefore, the Board proposes to rescind this subrule.

9. Rescind subrule 22.7(2) Safety program

Subrule 22.7(2) requires telecommunications utilities to adopt and execute a safety program for employee safety. The Board believes that this requirement is no longer necessary given that employee safety is more thoroughly regulated through OSHA and other federal regulations. Therefore, the Board proposes to rescind this subrule.

10. Rescind rule 22.8(476) Nontoll interexchange trunking service (EAS) survey procedure

Rule 22.8 establishes a procedure for interexchange trunking service surveys for extended area services (EAS). The procedures in this rule allow a utility to expand a local calling area and increase the associated local rates of the customers residing in the service area where the local calling would be expanded. The EAS

rules require that if the utility wishes to implement and charge for EAS, the utility must perform traffic studies, determine the increase in rates, and ballot the local customers. At least 65 percent of customers must vote in favor of an expansion of the calling area for the rate increase to go into effect. Similarly, at least 65 percent of customers must vote in favor of a utility proposal to discontinue a previously approved expansion of the local calling area.

After the workshop and in the comments submitted, CenturyLink asserted that the EAS procedure rules are no longer necessary due to rate deregulation and competition. CenturyLink argues that the EAS rules date to a period before local exchange service was competitive and when retail rates were regulated.

The Board agrees with the comments received on this issue and believes that the current competitive marketplace has effectively eliminated the need for this rule. Therefore, the Board proposes to rescind this rule.

11. Rescind rule 22.9(476) Terminal equipment

Rule 22.9 states that terminal equipment is deregulated and customers may now secure terminal equipment through any provider. As this rule is more of a statement than a requirement, the Board proposes to rescind this rule.

12. Rescind rule 22.10(476) Unfair practices

Rule 22.10 prohibits unfair or deceptive practices related to customer provision of equipment. The Board believes that current marketplace conditions have effectively eliminated the need for this rule and therefore, proposes to rescind it.

13. Rescind rule 22.11(476) Inside station wiring standards.

Rule 22.11 addresses the uncommon situation where an exchange boundary divides a customer's premises. The rule also provides technical standards for the customer's inside telephone wiring. While all communications wiring inside a customer's home should be installed according to applicable building codes and electrical standards, it is no longer the Board's jurisdiction to enforce those standards. Therefore, the Board proposes to rescind this rule.

14. Amend subparagraphs 22.14(2)(d)(1)(1) and (2)

Paragraph 22.14(2)(d)(1) requires carriers to incorporate a carrier common line charge (CCLC) in their intrastate access service tariffs. Subparagraph 22.14(2)(d)(1)(1) requires ILECs to include the CCLC and subparagraph 22.14(2)(d)(1)(2) requires CLECs to deduct the CCLC from their intrastate access service tariffs.

In the FCC's Transformation Order, an annual schedule was created for the reducing of intrastate access rates that LECs could charge interexchange carriers. The Transformation Order addressed only the phase down of terminating intrastate access rates, indicating that the phase down of originating intrastate access rates would be addressed at a later time. In Docket No. RMU-2014-0003, the Board amended paragraph 22.14(2)(d) by eliminating the terminating CCLC but leaving in place the originating CCLC.

Windstream submitted comments in this proceeding suggesting that the Board clarify paragraph 22.14(2)(d) by further clarifying the Board's intent to eliminate the

terminating CCLC, but retaining originating CCLC. The Board proposes to clarify subparagraph 22.14(2)(d)(1)(1) by adding the term “originating” to the CCLC. In addition, the Board proposes to eliminate subparagraph 22.14(2)(d)(1)(2) to further aid in clarifying the Board’s intent regarding the application of an originating CCLC.

15. Amend paragraph 22.14(4)(a) Notice of intrastate access service tariffs

Paragraph 22.14(4)(a) directs telephone utilities to give written notice of any new or changed tariffs relating to access charges, access service, or the recording function associated with billing and collection for access services.

In its comments, AT&T states that the recording function of billing and collection services was deregulated in Board Docket No. INU-88-9 and that the reference to this function should be eliminated from this paragraph. The Board agrees. Billing and collections services are listed in 199 IAC 22.1(6)(a)(11) as deregulated actions. Therefore, the Board proposes to eliminate the reference to these services in this paragraph.

16. Amend subrule 22.17(1)

Subrule 22.17 relates to the resale of communications services. Paragraphs 22.17(1)(a) and (b) contain references to tariffed rates and to rates charged to resale providers. These references implicate rate regulation which is no longer under the Board’s regulatory authority. Therefore, the Board proposes to delete the reference to tariffed rates in paragraph 22.17(1)(a) and rescind paragraph 22.17(1)(b).

17. Amend rule 22.20(476) Service territories

Subrule 22.20(1) identifies the authorizations and references of a certificate of public convenience and necessity issued to providers of local exchange telecommunications services. The subrule also provides that a certificate will be issued in the form of a Board order and may be modified only by subsequent Board orders. This language is contrary to subrule 22.20(4) which provides that certain modifications to a certificate may be approved by letter rather than a Board order. Therefore, the Board proposes to delete the provision in subrule 22.20(1) that states certificates can only be modified by Board order.

Subrule 22.20(2) identifies the procedures that carriers must follow to revise maps and modify certificates. There are several references in this subrule to the requirement of mailing objections to the Board. However, the Board now employs an electronic filing system (EFS), the process for which is outlined in 199 IAC 14. The Board will amend subrule 22.20(2) to include the option of electronically filing objections with the Board in addition to mailing those objections.

Subrule 22.20(3) requires ILECs to have maps on file with the Board that identify the carriers' exchange boundaries. Paragraph 22.20(3)(a) identifies the appropriate scale for paper boundary maps and boundary maps filed in an electronic format. The Board intends to have all map filings eventually be filed electronically. Therefore, the Board proposes to add language to this paragraph requiring that revisions to exchange boundary maps be filed in an electronic format.

18. Rescind rule 22.21(476) Toll dialing patterns

Rule 22.21 requires all local exchange utilities to use a specific ten digit dialing pattern. This pattern is required by FCC regulations and the Board does not believe it necessary to restate the requirement here. Therefore, the Board proposes to rescind this rule.

19. Amend rule 22.23(476) Unauthorized changes in telephone service

Rule 22.23 prohibits unauthorized changes in telecommunications service such as slamming or cramming. The rule also identifies specific procedures that carriers must follow in order to switch services for a customer. In large part, this rule mirrors the FCC's rules prohibiting unauthorized changes in service found in 47 C.F.R. §§ 64.1100, et al. Generally, the Board does not prefer its rules to simply restate federal requirements. In the case of this particular rule, however, the legislature explicitly required the Board to adopt rules that prohibit unauthorized changes in telecommunications services and required that the rules be consistent with the FCC regulations. Iowa Code § 476.103. Therefore, the Board is not proposing any substantive changes to 22.23 at this time.

A review of 22.23 and 47 C.F.R. §§ 1100, et al., reveals that the FCC rules have been updated to add references to electronic mail and webpages. Therefore, the Board proposes to amend 22.23(2)(b)(2) and (3), 22.23(2)(d)(4)(2), 22.23(2)(d)(5)(1), and 22.23(5)(c) to include similar references.

IT IS THEREFORE ORDERED:

1. A rule-making proceeding identified as Docket No. RMU-2015-0002 is commenced for the purpose of receiving comments on the proposed amendments in the "Notice of Intended Action" attached hereto and incorporated by reference in this order.

2. The Executive Secretary is directed to submit for publication in the Iowa Administrative Bulletin a "Notice of Intended Action" in the form attached to and incorporated by reference in 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 18th day of May 2016.

UTILITIES DIVISION [199]

Notice of Intended Action

Pursuant to Iowa Code § 17A.4, the Utilities Board gives notice that on May 18, 2016, the Board issued in Docket No. RMU-2015-0002, In re: Amendments to Telecommunications Service Regulations [199 IAC 22], an “Order Commencing Rulemaking,” proposing to update the Board’s rules regarding the provision of telecommunications services.

To develop the proposed amendments, the Board sought early input from stakeholders. On October 2, 2015, the Board issued an “Order Scheduling Workshop” in this docket to initiate the process of amending its administrative rules to address modifications that would apply technology-neutral standards to all telecommunications services as well as generally updating all of the rules in this chapter.

The Board held a workshop on October 27, 2015, and invited interested persons and Board staff to discuss issues relating to changes to the rules in this chapter. At the conclusion of the workshop, the Board invited participants to file written comments memorializing their positions on issues discussed at the workshop, responding to new issues raised at the workshop, or responding to the positions of other participants expressed at the workshop. Post-workshop comments were received from eight participants.

After reviewing the post-workshop comments, the Board issued an “Order Seeking Additional Comments” on January 29, 2016. In that order, the Board proposed specific rule changes and identified general issues where additional stakeholder comment was sought. Additional comments were received from nine participants.

In addition to the proposed rule revisions, the Board seeks additional comments regarding its continued regulatory approach to VoIP and whether the proposed changes to chapter 22 achieve a neutral regulatory application to varying technologies providing local exchange services. Specifically, the Board is interested in receiving comments that may include, but are not limited to, information regarding the status of local exchange service competition in Iowa, the availability of VoIP services throughout Iowa, whether investment in IP networks has been inhibited by the Board’s current regulatory approach over VoIP services, the functional differences between nomadic and non-nomadic VoIP services, and whether the proposed rule changes create a more level regulatory field for the provision of local exchange service regardless of the technology used to provide that service.

The order approving this “Notice of Intended Action” and commencing this rule making can be found on the Board’s Electronic Filing System (EFS) Web site,

<http://efs.iowa.gov>, in Docket No. RMU-2015-0002

After analysis and review, the Board tentatively concludes that the proposed amendments, if adopted, will not have a detrimental effect on jobs in Iowa.

Pursuant to Iowa Code sections 17A.4(1)“a” and “b,” any interested person may file a written statement of position pertaining to the proposed amendments. The statement must be filed on or before July 1, 2016. The statement should be filed electronically

through the Board's EFS website. Instructions for making an electronic filing can be found on the EFS website at <http://efs.iowa.gov>. Any person who does not have access to the Internet may file comments on paper pursuant to 199 IAC 14.4(5). An original and ten copies of paper comments must be filed. Both electronic and written filings shall comply with the format requirements in 199 IAC 2.2(2) and clearly state the author's name and address and make specific reference to this docket. All paper communications should be directed to the Executive Secretary, Iowa Utilities Board, 1375 E. Court Avenue, Room 69, Des Moines, Iowa 50319-0069

An opportunity for interested persons to present oral comments on the proposed amendments will be held at 9 a.m. on Tuesday, August 9, 2016, in the Board's hearing room at the address listed above. Persons with disabilities who require assistive services or devices to observe or participate should contact the Board at (515) 725-7334 at least five days in advance of the scheduled date to request that appropriate arrangements be made.

The amendments are intended to implement Iowa Code sections 17A.4.

The following amendments are proposed:

ITEM 1. Amend subrule 22.1(3) as follows:

22.1(3) Definitions.

“Active account” refers to a customer who is currently receiving telephone service, or one whose service has been temporarily disconnected (vacation, nonpayment, storm damage, etc.).

“Adjacent exchange service” is local telephone service, including extended area service, provided to a customer via direct facility connection to an exchange contiguous to the exchange in which the customer is located.

~~*“Average busy season, busy-hour traffic”* means the average traffic volume for the busy season, busy hours.~~

“Board” means the Iowa utilities board.

“Business service” means the service furnished to customers where the use is substantially of a business, professional, institutional, or occupational nature, rather than a social and domestic nature.

~~*“Busy-hour”* means the two consecutive half hours during which the greatest volume of traffic is handled in the office.~~

~~*“Busy season”* means that period of the year during which the greatest volume of traffic is handled in the office.~~

“Calls” means telephone messages attempted by customers or users.

~~*“Central office”* means a unit in a telephone system which provides service to the general public, having the necessary equipment and operating arrangements for terminating and interconnecting customer lines and trunks or trunks only. There may be more than one central office in a building.~~

~~*“Central office access line”* means a circuit extending from the central office equipment to the demarcation point.~~

~~*“Channel”* means an electrical path suitable for the transmission of communications.~~

“Check of service” or *“service check”* means an examination, test or other method utilized to determine the condition of customer-provided terminal equipment and existing or new inside station wiring.

“Class of service” means the various categories of service generally available to customers, such as business or residence.

“Competitive Local Exchange Carrier” or *“CLEC”* means a utility, other than an incumbent local exchange carrier, that provides local exchange service pursuant to an authorized certificate of public convenience and necessity.

“Customer” means any person, firm, association, corporation, agency of the federal, state or local government, or legal entity responsible by law for payment for communication service from the telephone utility.

“Customer provision” means customer purchase or lease of terminal equipment or inside station wiring from the telephone ~~company~~ utility or from any other supplier.

“Delinquent or delinquency” means an account for which a bill or payment agreement for regulated services or equipment has not been paid in full on or before the last day for timely payment.

“Demarcation point” means ~~the point of connection provided and maintained by the telephone utility to which inside station wiring becomes dedicated to an individual building or facility. For an individual dwelling, this point of connection will generally be immediately adjacent to, or within 12 inches of, the protector or the dwelling side of the protector. The drop and block, including the protector, will continue to be provided by and remain the property of the telephone utility. In the instance where a physical protector does not exist at the point of cable entrance into the building or facility, the~~

~~demarcation point is defined as the entrance point of the cable into the building or facility. the physical point at which a utility's public network ends and the customer's personal network begins. The demarcation point defines where the utility's responsibility for maintenance ends and the consumer's responsibility begins.~~

"Disconnect" means the disabling of circuitry preventing both outgoing and incoming communications.

"Due date" means the last day for payment without unpaid amounts being subject to a late payment charge or additional collection efforts.

"Exchange" means a unit established by a telephone utility for the administration of communication services.

"Exchange service" means communication service furnished by means of exchange plant and facilities.

"Exchange service area" or "exchange area" means the general area in which the telephone utility holds itself out to furnish exchange telephone service.

~~*"Extended area service"* means telephone service, furnished at flat rates, between end user customers located within an exchange area and all of the end user customers of an additional exchange area. Extended area service is only for calls both originating and terminating within the defined extended area.~~

"Foreign exchange service" means exchange service furnished a customer from an exchange other than the exchange regularly serving the area in which the customer is located.

“Former account” refers to a customer whose service has been permanently disconnected, and the final bill either has been paid or has been written off to the reserve for uncollectible accounts.

“Held order for primary service” means an application for establishment of primary service to a local exchange utility using its existing facilities to provide service not filled within five business days of the customer-requested date, ~~or within 15 business days of the customer-requested date, where no facilities are available.~~ During the period a local exchange utility provides equivalent alternative service, the customer’s order for primary service shall not be considered a held order.

“Held order for secondary service” means an application for establishment of secondary service to a local exchange utility using its facilities to provide service not filled within 30 business days or the customer-requested date, whichever is later.

“High-volume access service (HVAS)” is any service that results in an increase in total billings for intrastate exchange access for a local exchange utility in excess of 100 percent in less than six months. By way of illustration and not limitation, HVAS typically results in significant increases in interexchange call volumes and can include chat lines, conference bridges, call center operations, help desk provisioning, or similar operations. These services may be advertised to consumers as being free or for the cost of a long-distance call. The call service operators often provide marketing activities for HVAS in exchange for direct payments, revenue sharing, concessions, or commissions from local service providers.

“Inactive account” refers to a customer whose service has been permanently disconnected and whose account has not been settled either by payment or refund.

“Incumbent Local Exchange Carrier” or *“ILEC”* means a utility, or successor to such utility, that was the historical provider of local exchange service pursuant to an authorized certificate of public convenience and necessity within a specific geographic area described in maps approved by the board as of September 30, 1992.

“Interexchange service” is the provision of intrastate telecommunications services and facilities between local exchanges, ~~and does not include EAS.~~

“Interexchange utility” means a utility, a resale carrier or other entity that provides intrastate telecommunications services and facilities between exchanges within Iowa, without regard to how such traffic is carried. A local exchange utility that provides exchange service may also be considered an interexchange utility.

“InterLATA toll service” means toll service that originates and terminates between local access transport areas.

“IntraLATA toll service” means toll service that originates and terminates within the same local access transport area.

“Intrastate access services” are services of telephone utilities which provide the capability to deliver intrastate telecommunications services which originate from end-users to interexchange utilities and the capability to deliver intrastate telecommunications services from interexchange utilities to end-users.

“Local exchange service” means telephone service furnished between customers or users located within an exchange area.

“Local exchange utility” means a telephone utility that provides local exchange service under an authorized certificate of public convenience and necessity. The utility may also provide other services and facilities such as access services.

"Message" means a completed telephone call by a customer or user.

~~*"Outside plant"* means the telephone equipment and facilities installed on, along, or under streets, alleys, highways, and private rights of way between customer locations, central offices or the central office and customer location.~~

~~*"Percentage of fill"* means the ratio of circuits and equipment in use to the total available multiplied by 100.~~

"Premises" means the space occupied by an individual customer in a building, in adjoining buildings occupied entirely by that customer, or on contiguous property occupied by the customer separated only by a public thoroughfare, a railroad right-of-way, or a natural barrier.

~~*"Primary service"* means the initial access to the public switched network.~~

~~*"Protector"* means a utility owned electrical device located in the central office, at a customer's premises or anywhere along any telephone facilities which protects both the telephone utility's and the customer's property and facilities from over-voltage and over-current by shunting such excessive voltage and currents to ground.~~

"Rates" shall mean amounts billed to customers for local exchange service and alternative operator services.

"Retail services" means those communications services furnished by a telephone utility directly to end-user customers. For an alternative operator services utility, the terms and conditions of its retail services are addressed in an approved intrastate tariff. For a local exchange utility, the terms and conditions of its retail services are typically addressed in a retail catalog or other format, which is not subject to board approval.

~~*"Secondary service"* means services or facilities not classified as primary service.~~

“Suspend” means temporary disconnection or impairment of service which shall disable either outgoing or incoming communications, or both.

“Switching service” means switching performed for service lines.

“Tariff” means the entire body of rates, classifications, rules, procedures, policies, etc., adopted and filed with the board by a local exchange utility for wholesale services, or by an alternative operator services company for retail services, in fulfilling its role of furnishing communications services.

~~*“Telephone station”* means the telephone instrument connected to the network.~~

“Telephone utility” or *“utility”* means any person, partnership, business association, or corporation, domestic or foreign, owning or operating any facilities for furnishing communications service to the public for compensation.

~~*“Terminal equipment”* means all telephone instruments, including pay telephone equipment, the common equipment of large and small key and PBX systems and other devices and apparatus, and associated wirings, which are intended to be connected electrically, acoustically or inductively to the telecommunication system of the telephone utility.~~

“Timely payment” is a payment on a customer’s account made on or before the due date shown: (1) On a current bill for rates and charges, or (2) by an agreement between the customer and a utility for a series of partial payments to settle a delinquent account.

~~*“Toll connecting trunks”* means a general classification of trunks carrying toll traffic and ordinarily extending between a local office and a toll office.~~

“Toll message” means a message made between different exchange areas for which a charge is made, excluding message rate service charges.

“Traffic” means telephone call volume, based on number and duration of calls.

~~*“Traffic grade of service”* means the decimal fraction representing the probability of a call being blocked by an all trunks busy condition during the average busy season, busy hour.~~

“Transitional intrastate access service” means annual reductions affecting terminating End Office Access Service subject to intrastate access rates as of December 31, 2011; terminating Tandem-Switched Transport Access Service subject to intrastate access rates as of December 31, 2011; and originating and terminating Dedicated Transport Access Service subject to intrastate access rates as of December 31, 2011.

“Trouble report” means any call or written statement from a customer or user of telephone service relating to a physical defect or to difficulty or dissatisfaction with the operation of telephone facilities.

“Wholesale services” means those communications services furnished by one telephone utility to another provider of communications services. The terms and conditions of wholesale services are addressed in a telephone utility’s approved intrastate access tariff or local interconnection tariff.

ITEM 2. Amend subrule 22.1(4) as follows:

22.1(4) Abbreviations.

AOS – Alternative Operator Services

~~EAS – Extended Area Service~~

PBX – Private Branch Exchange

ITEM 3. Amend subrule 22.1(6)(a) as follows:

(15) Telecommunications services provided by Voice over Internet Protocol.

Docket No. RMU-2015-0002. Effective _____, 2016.

ITEM 4. Amend subrule 22.2(6) as follows:

22.2(6) Information to be filed with the board.

a. Each utility shall file with the board the name, title, address, and telephone number of the person who is authorized to receive, act upon, and respond to communications from the board in connection with the following:

(1) General management duties.

(2) Customer relations (complaints).

(3) Engineering operations.

~~(4) Outages, including those occurring during nonoffice hours, pursuant to paragraph 22.2(8)"d"~~

~~b. A copy of a new directory being distributed to customers.~~

ITEM 5. Amend rule 22.3 as follows:

22.3(476) General Service requirements. The requirements of this rule do not apply to intrastate access service.

22.3(1) Directories. – Rescind

22.3(2) Service Check. – Rescind

22.3(5) Pay telephone services and facilities. – Rescind

22.3(6) Extension plan. – Rescind

22.3(11) Assignment of numbers. Numbers shall be assigned in accordance with applicable Federal Communications Commission rules.

~~a. No telephone number shall be reassigned to a different customer within 60 days from the date of permanent disconnect.~~

~~b. For customers assigned a new number within the exchange, the former working number intercept shall provide the new number to a calling party for not less than 60 days or until the issuance of a new directory. No new number information shall be provided if the customer so requests.~~

~~EXCEPTION: When a change in number is required by a telephone utility due to nonpayment of yellow page advertising, the intercept is not required to volunteer the new number to callers. The new number shall be provided to callers of the directory assistance operator.~~

~~c. If the number assigned a customer results in wrong number calls sufficient in volume to be a nuisance, the number shall be changed at no charge.~~

ITEM 6. Amend rule 22.4 as follows:

22.4(476) Customer relations.

22.4(1) Customer information.

a. Each utility shall:

(1) Maintain up-to-date maps, plans or records of its entire exchange systems.

These maps shall be available for board examination at a location within Iowa during regular office hours and will be provided to the board upon request. These are not the same maps as the boundary maps described in subrule 22.20(3).

(2) ~~Whenever a residential customer or prospective residential customer requests local exchange service from a utility, and the customer indicates a desire to be informed of the lowest priced service alternatives available for local exchange service,~~

~~the utility shall inform that customer of the lowest priced alternative available from that utility, based only on monthly recurring rates for flat-rated services, at the relevant location. Inform residential or prospective residential customers who request local exchange service of the lowest priced alternative available for local exchange service, based only on monthly recurring rates for flat rated services at the relevant location, upon the customer's request.~~

(3) Notify customers affected by a change in rates or schedule classification.

(4) Track service connection, held order, and service interruption performance by wire centers on a monthly basis. Records will be provided upon request of the Board and will be retained by the utility for 2 years.

(5) Keep records on repair intervals for out-of-service trouble reports on voice services. When interruptions in service occur, service restoration priority shall be given to a residential customer who states that telephone service is essential due to an existing medical emergency of the customer, a member of the customer's family, or any permanent resident of the premises where service is rendered.

(6) (4) Furnish such additional information as the customer may reasonably request.

b. Inquiries for information or complaints to a utility shall be resolved promptly and courteously. Employees who receive customer telephone calls and office visits shall be qualified and trained in screening and resolving complaints, to avoid a preliminary recitation of the entire complaint to employees without ability and authority to act. The employee shall provide identification to the customer.

Unless a customer agrees to an alternative form of notice, local exchange utilities shall notify their customers, by bill insert or notice on the bill form, of the address and telephone number where a utility representative qualified to assist in resolving the complaint can be reached. The bill insert or notice shall also include the following statement: "If (utility name) does not resolve your complaint, the service may be subject to state regulation. You may request assistance from the Iowa Utilities Board by writing 1375 E. Court Avenue, Room 69, Des Moines, Iowa 50319-0069, by calling (515)725-7321 or toll-free 1-877-565-4450, or E-mail to customer@iub.iowa.gov."

The bill insert or notice on the bill will be provided no less than annually. A telephone utility which provides local exchange service and issues an annual directory shall publish the information set forth above in its directory in addition to a mailing.

c. A telephone utility that chooses to no longer provide or distribute a printed directory shall develop a plan to help requesting customers transition from the printed directory to digital, online, or other alternative at no cost to the customer. The plan shall include a link to the directory and shall be made available to the Board upon request.

22.4(2) Customer deposits. Each utility may require from any customer or prospective customer a deposit intended to guarantee payment of bills for service based on the customer's credit history. No deposit other than for local exchange service is required to obtain local exchange service. ~~The deposit must reflect the limits as to low-income customers in 199 subparagraph 39.3(2)"b"(4).~~ Pursuant to 47 C.F.R. § 54.401(c), utilities may not collect a deposit in order to initiate voice-only Lifeline service to qualifying customers.

a. Deposits for local exchange service shall not be more in amount than the maximum charge for two months of local exchange service, or as may reasonably be required by the utility in cases involving service for short periods of time or special occasions. ~~The deposit amounts must also reflect the limits as to low-income customers in 199 subparagraph 39.3(2)“b”(4).~~ Pursuant to 47 C.F.R. § 54.401(c), utilities may not collect a deposit in order to initiate voice-only Lifeline service to qualifying customers.

b. Interest on customer deposits. Interest on such deposits shall be computed at ~~4.0~~ 7.5 percent per annum, compounded annually. Interest shall be paid for the period beginning with the date of deposit to the date of refund or to the date that the deposit is applied to the customer's account, or to the date the customer's bill becomes permanently delinquent. The date of refund is that date on which the refund or the notice of deposit refund is forwarded to the customer's last-known address. The date a customer's bill becomes permanently delinquent, relative to an account treated as an uncollectible account, is the most recent date the account became delinquent.

ITEM 7. Rescind rule 22.5.

ITEM 8. Amend rule 22.6 as follows:

22.6(476) Standards of quality of service. ~~The local exchange utility using its facilities to provide primary service will measure its service connection, held order, and service interruption performance monthly according to subrules 22.6(1), 22.6(2), and 22.6(3). Records of the measurements and any summaries thereof, by individual wire centers, will be provided upon request of the board. Records of these measurements will be retained by the utility for two years.~~

22.6(1) Service connection. Each ~~local exchange utility using its facilities to provide~~ providing local exchange service shall make all reasonable efforts to maintain a five-business-day standard for ~~primary~~ the connection of voice service or ~~within~~ by the customer-requested voice service connection date. ~~All reasonable efforts to maintain the above standard shall be measured by the following:~~

~~a. Eighty-five percent of all customers provided service within five business days of the request or the customer requested date, whichever is later. Compliance will be measured based on a three-month rolling average.~~

~~b. Ninety-five percent of all customers provided service within ten business days of the request or the customer requested date, whichever is later. Compliance will be measured based on a three-month rolling average.~~

~~c. Ninety-nine percent of all customers provided service within 30 business days of the request or the customer requested date, whichever is later. Compliance will be measured based on a three-month rolling average.~~

22.6(2) Held Orders

a. During such period of time as a local exchange utility using its facilities to provide voice service may not be able to supply ~~primary~~ telephone service to prospective customers within five business days after the date applicant desires service, the telephone utility shall keep a record, by exchanges, showing the name and address of each applicant for service, the date of application, the date that service was requested, and the class of service applied for, together with the reason for the inability to provide new service to the applicant.

b. When, because of a shortage of facilities, a utility is unable to supply primary telephone voice service on the date requested by the applicants, first priority shall be given to furnishing those services which are essential to public health and safety. In cases of prolonged shortage or other emergency, the board may require establishment of a priority plan, subject to its approval for clearing held orders, and may request periodic reports concerning the progress being made.

~~c. When the local exchange utility using its facilities to provide service fails to provide primary local exchange service to any customer requesting service within 15 business days, the local exchange utility shall provide the customer with an alternative form of service until primary local exchange service can be provided. The alternative form of service provided shall be wireless telephone service unless the customer agrees otherwise.~~

~~d. If an alternative form of primary service is provided, the local exchange utility is authorized to charge the customer the regular rates (if applicable) for the alternative primary service ordered, if such rates are less than the regulated rate for primary local exchange service. Otherwise, the customer will be charged the regulated rate for primary local exchange service. Where an alternative form of service is impossible to provide, the facilities based local exchange utility shall waive all usual installation charges and, once primary local exchange service is provided, shall credit the customer's account in an amount equal to the pro-rata monthly primary local exchange charge for each day service was not provided.~~

22.6(3) Service interruption.

a. Each telephone utility ~~using its facilities to provide primary~~ providing local exchange service shall make all reasonable efforts to prevent interruptions of service. When interruptions are reported or found by the utility to occur, the utility shall reestablish service with the shortest possible delay. Priority shall be given to a residential customer who states that telephone service is essential due to an existing medical emergency of the customer, a member of the customer's family, or any permanent resident of the premises where service is rendered. ~~All reasonable efforts shall be measured by the following:~~

~~(1) Eighty five percent of all out of service trouble reports cleared within 24 hours. Compliance will be measured based on a three month rolling average.~~

~~(2) Ninety five percent of all out of service trouble reports cleared within 48 hours. Compliance will be measured based on a three month rolling average.~~

~~(3) One hundred percent of all out of service trouble reports cleared within 72 hours.~~

~~(4) The response time for all utilities responsible to test and attempt to correct any interexchange trunk problem, except a total outage, shall be within 24 hours after the problem is reported. If the problem is not corrected within that time, the utility responsible for doing so shall keep all other affected telephone utilities advised as to the current status on a daily basis. For a total outage, the response time shall be immediate.~~

~~b. Arrangements shall be made to have adequate personnel and equipment available to receive and record trouble reports and also to clear trouble of an emergency nature at all times.~~

~~c. Calls directed to the published telephone numbers for service repair or the business offices of the telephone utility shall be acknowledge within 20 seconds for 85 percent of all such calls and within 40 seconds for 100 percent of all such calls.~~

~~d. If a customer's service must be interrupted due to maintenance, the utility shall notify the affected customer, in advance, if possible. The company shall perform the work to minimize inconvenience to the customer and strive to avoid interruptions when there is conversation on the line. IAC 10/14/15 Utilities[199] Ch 22, p.19~~

~~e. Each telephone utility shall keep a written record showing all interruptions affecting service in a major portion of an exchange area for a minimum of six years. This record shall show the date, time, duration, time cleared and extent and cause of the interruption. This record shall be available to the board upon request.~~

~~f. Whenever a trouble report is received, a record shall be made by the company and if repeated within a 30 day period by the same customer, the case shall be referred to an individual for permanent correction.~~

~~g. When a customer's service is reported or is found to be out of order, it shall be restored as promptly as possible.~~

~~h. Each local exchange utility using its facilities to provide service shall maintain its network to reasonably minimize customer trouble reports. The rate of customer trouble reports on the company side of the demarcation point will not exceed four per 100 access lines per month per wire center.~~

~~i. When a subscriber's service is interrupted and remains out of service for more than 24 consecutive hours after being reported to the local exchange company or being found by the company to be out of order, whichever occurs first, the company shall make appropriate adjustments to the subscriber's account. This rule does not apply if the outage occurs as a result of:~~

~~(1) A negligent or willful act on the part of the subscriber;~~

~~(2) A malfunction of subscriber-owned telephone equipment;~~

~~(3) Disasters or acts of God; or~~

~~(4) The inability of the company to gain access to the subscriber's premises.~~

~~The adjustment, either a direct payment or a bill credit, shall be the proportionate part of the monthly charges for all services and facilities rendered inoperative during the interruption. The adjustment shall begin with the hour of the report or discovery of the interruption. Adjustments not in dispute shall be rendered within two billing periods after the billing period in which the interruption occurred.~~

~~**22.6(4) Repair—missed appointments.** When a utility makes an appointment for installation or repair within a given range of time, and misses that appointment by over an hour, the customer will receive one month's primary local service free of charge.~~

~~This is applicable to each missed appointment.~~

~~**22.6(5) Emergency operation.**~~

~~a. Each telephone utility shall make reasonable provisions to meet emergencies resulting from failures of power service, climate control, sudden and prolonged increases in traffic, illness of operators, or from fire, explosion, water, storm, or acts of God, and each telephone utility shall inform affected employees, at regular intervals not~~

to exceed one year, of procedures to be followed in the event of emergency in order to prevent or mitigate interruption or impairment of telephone service.

~~b. All central offices shall have adequate provision for emergency power. Each central office shall contain a minimum of two hours of battery reserve. For offices without permanently installed emergency power facilities, there shall be access to a mobile power unit with enough capacity to carry the load which can be delivered on reasonably short notice and which can be readily connected.~~

~~c. An auxiliary power unit shall be permanently installed in all toll centers and at all exchanges exceeding 4,000 access lines.~~

~~d.~~ Each local exchange utility shall maintain and make available for board inspection upon request, its current plans for emergency operations, including the names and telephone numbers of the local exchange utility's disaster services coordinator and alternates.

~~**22.6(6) Business offices.**~~

~~a. Each local exchange utility shall have one or more business offices or customer service centers staffed to provide customer access to qualified personnel, including supervisory personnel where warranted, to provide information relating to services and rates, accept and process applications for service, explain charges on customers' bills, adjust charges made in error, and, generally, to act as representatives of the local exchange utility. If one business office serves several exchanges, toll-free calling from those exchanges to that office shall be provided.~~

~~b. Upon the closing of any local exchange utility's public business office, the company must provide to the board, in writing, at least 30 days prior to the closing of the office the following information: Ch 22, p.20 Utilities[199] IAC 10/14/15~~

~~(1) The exchange(s) and communities affected by the closing;~~

~~(2) The date of the closing;~~

~~(3) A listing of other methods and facility locations available for payment of subscribers' bills in the affected exchanges; and~~

~~(4) A listing of other methods and locations available for obtaining public business office services.~~

ITEM 9. Rescind subrule 22.7(2).

ITEM 10. Rescind rule 22.8.

ITEM 11. Rescind rule 22.9.

ITEM 12. Rescind rule 22.10

ITEM 13. Rescind rule 22.11

ITEM 14. Amend subrule 22.14(2) as follows:

22.14(2)(d)(1)(1) Incumbent local exchange carrier intrastate access service tariffs shall include the originating carrier common line charges approved by the board.

~~**22.14(2)(d)(1)(2)** A competitive local exchange carrier shall deduct the carrier common line charge from its intrastate access service tariff.~~

22.14(4) *Notice of intrastate access service tariffs.*

a. Each telephone utility that files new or changed tariffs relating to access charges, or access service, ~~or the recording function associated with billing and collection for access services~~ shall give written notice of the new or changed tariffs to the utility's

interexchange utility access customers, the board, and the consumer advocate. Notice shall be given on or before the date of the filing of the tariff. The notice shall consist of: the file date, the proposed effective date, a description of the proposed changes, and the tariff section number where the service description is located. If two or more local exchange utilities concur in a single tariff filing, the local exchange utilities may send a joint written notice to the board, consumer advocate, and the interexchange utilities.

ITEM 15. Amend subrule 22.17(1) as follows:

22.17(1) Any landlord, owner, tenant association, or otherwise affiliated group shall be permitted to provide communications services within or between one or more buildings with a community of interest. The provision of this service will be treated as a deregulated service, if the following requirements are met:

a. No person within a building or facility providing resale services shall be denied access to the local exchange carrier. The local exchange carrier shall provide service at ~~normal tariffed rates~~ to the point of demarcation. The end-user shall be responsible for service beyond that point. However, no person shall unreasonably inhibit the end-user's access to the local exchange carrier.

~~b. Telephone rates charged to resale providers of communications services under this rule shall be made on the same basis as business service.~~

~~b. e.~~ "Community of interest" will normally be indicated by joint or common ownership, but any other relevant factors may be considered.

ITEM 16. Amend rule 22.20 as follows:

22.20(1) *Issuance of certificates of authority to utilities on or prior to September 30, 1992.* The initial nonexclusive certificate of authority will be issued by the board on or

before September 30, 1992, to each land-line telephone utility providing local telecommunications service in Iowa. The certificate will authorize service within the territory as shown by boundary maps in effect on January 1, 1992, but will reference and include modifications approved by the board prior to the issuance of the certificate. ~~The certificate will be in the form of an order issued by the board and may be modified only by subsequent board orders.~~

If a utility disputes the boundary identified in the January 1, 1992, maps or in a certificate, it may file an objection with the board. After notice to interested persons and an opportunity for hearing, the board will determine the boundary.

22.20(2)(b) The boundary filing must include the name of each affected customer and justification for the proposed boundary, including a detailed statement of why the proposal is in the public interest. Prior to filing with the board, the serving utilities must notify interested persons of a convenient location where they can view the current and proposed maps, or copies of the maps covering their location must be mailed to them. The notice shall state the nature of the boundary filing and that any objections must be filed with the board through its electronic filing system or mailed to the board postmarked within 14 days of the mailing of the notice by the utility. The utility's filing shall also include a copy of the notice and the date on which the notice was mailed to customers.

22.20(2)(d) If the utilities cannot agree on the boundary, or if an interested person timely files or mails material objections to the proposed boundary in the board's electronic filing system, the board will resolve the issues in contested case proceedings

to revise the maps and modify the certificates after notice of the proceedings to all affected utilities and interested persons.

22.20(3)(a). ~~If a utility files~~ The scale of a paper boundary map, ~~the map shall be on a scale of one inch to the mile.~~ If a utility files a boundary map in an electronic format, the relevant scale shall be noted in the filing. Any revisions to a utility's boundary map shall be filed in an electronic format. Boundary maps shall include information equivalent to the county maps which are available from the Iowa department of transportation, showing all roads, railroads, waterways, plus township and range lines outside the municipalities. A larger scale shall be used where necessary to clarify areas. All map details shall be clean-cut and readable.

ITEM 17. Rescind rule 22.21.

ITEM 18. Amend rule 22.23 as follows:

22.23(2)(b)(2) The letter of agency shall be a separate document (or an easily separable document) or located on a separate screen or webpage containing only the authorizing language described in subparagraph (5) below having the sole purpose of authorizing a service provider to initiate a preferred service provider change. The letter of agency must be signed and dated by the customer to the telephone line(s) requesting the preferred service provider change.

22.23(2)(b)(3) The letter of agency shall not be combined on the same document, screen, or webpage with inducements of any kind.

22.23(2)(d)(4)(2) No local exchange carrier shall implement a preferred service provider freeze unless the customer's request to impose a freeze has first been confirmed in accordance with one of the following procedures:

- The local exchange carrier has obtained the customer's written ~~and~~ or electronically signed authorization in a form that meets the requirements of

22.23(2)"d"(4)"3"; or

22.23(2)(d)(5)(1) A local exchange service provider administering a preferred service provider freeze must accept a customer's written ~~and~~ or electronically signed authorization stating the intention to lift a preferred service provider freeze; and

22.23(5)(c) Collection. A civil penalty collected pursuant to this subrule shall be forwarded by the executive secretary of the board to the treasurer of state to be credited to the ~~general~~ revolving fund of the state and to be used only for consumer education programs administered by the board.

May 18, 2016

/s/ Geri D. Huser

Geri Huser, Chair