

automatically binding on customers. Each LEC will need to take additional steps to achieve that result, such as entering into a customer service agreement with each customer.”

- ICA Response: While we understand that LECs will need to transition from local service tariffs to customer service agreements, the members of the Iowa Communications Alliance ask the Board to allow flexibility in how each LEC makes the transition. For example, some LECs may prefer to “rebadge” existing local services tariffs as customer service agreements. Others may prefer to modify and/or eliminate existing tariff provisions as part of the transition, while some may choose to completely overhaul their approach to rate catalogs and service agreements. Our position is that so long as the option chosen by the LEC (customer service agreements/service guides/pricing catalogs/etc.) adequately addresses and complies with applicable rules on items where the Board retains jurisdiction, the LEC should have great flexibility in determining how to implement this change.

4. LECs must provide the IUB with information regarding rate or service changes to the Board.

- ICA Response. Based on recent communications with Board staff, it appears that the requirement to notify the Board of rate changes will mean that the Board receives rate change notices “after the fact” and that the Board will no longer have authority to substantively review or approve or regulate the content or timing of customer rate change notices. If this interpretation is correct, the ICA agrees with the proposal.

We understand the Board’s reasonable need to accumulate data on local service rates for the purpose of comparing rates to FCC local rate benchmarks. The Iowa Communications Alliance supports the elimination of “prior notice” of rate changes because the current requirement unfairly benefits non-ETCs who need not file such notices prior to adjusting consumer rates.

With respect to notification of “service changes” we are uncertain of what the Board is proposing to require. We note that SF 2195 does not address any requirements regarding notice of ‘service changes’ and we question the need to notify the Board of any service changes.

5. Rulemaking to update Chapter 22 to remove references to local service tariffs and other outdated provisions such as customer service standards and liability limits and other items that were formerly contained in tariffs.

- ICA Response. The Iowa Communications Alliance notes that recent FCC Orders and the implementation of SF 2195 may cause a number of rules in 199 IAC 22 to be modified or eliminated. Last year’s Notice

of Inquiry into the Future of Telecommunications Regulation identified a number of other rules that one or more industry respondents sought to amend or eliminate.

In addition to the items indicated in the Board's Order, other rules in need of review include the scope of telecom regulation generally, quality of service standards, consumer protections, COLR responsibilities, disconnection notices, and a host of other items contained in Chapter 22.

We believe the time may be ripe for the Board to define or redefine exactly what types of retail relationships are subject to regulation. Assuming the Board has not altered its view on VoIP, the regulated service (from a retail standpoint) is local voice telephony service, whether TDM or IP, excluding wireless. We believe the Board should consider re-aligning its rules so that there is a single chapter of service regulation clearly applicable to all providers of wireline voice telephony (excluding wireless) and a single chapter of service regulation clearly applicable only to ETCs (including any wireless ETCs) with whatever additional service, reporting or recordkeeping requirements apply to ETCs. The Chapter on ETCs should not impose requirements beyond what is necessary for the Board to perform its role under the federal ETC scheme.

We believe that the Board should not attempt to amend the rules in Chapter 22 in a piecemeal fashion, but should instead do so in a comprehensive fashion to account for all the recent developments. As such, we agree that a workshop or other informal process to identify all the topics should be held.

We also believe that this comprehensive rulemaking will necessarily require more than a 30 day comment period once the formal rulemaking is introduced.

6. General comments on implementation of SF 2195.

- ICA Response. Similar to the discussions in the above points, we note that some items contained in local service tariffs may need to be addressed by the Board in upcoming proceedings. These include the access tariff concurrence and the definition of service areas and exchanges served by the LEC. We understand that one option may be to keep the access tariff concurrence page on file with the Board, and this seems appropriate. We suggest that the Board maintain some other document or filing that indicates the areas served by the LEC.

Respectfully Submitted,

David C. Duncan
CEO
Iowa Communications Alliance
2987 100th Street
Urbandale, IA 50322
Telephone: 515-867-2091
Facsimile: 515-867-9767
E-mail: dduncan@iacommunicationsall.com