

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  ALLAMAKEE-CLAYTON ELECTRIC COOPERATIVE	DOCKET NO. TCU-2015-0003
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**ORDER GRANTING APPLICATION AND APPROVING CONCURRENCE IN MAPS**

(Issued April 17, 2015)

On March 2, 2015, Allamakee-Clayton Electric Cooperative (ACEC) 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). ACEC seeks authority to provide local exchange telecommunications service, Voice over Internet Protocol (VoIP) service and interconnected VoIP service in 22 local exchange areas in Iowa currently served by Qwest Corporation, d/b/a CenturyLink QC (CenturyLink), and Windstream Iowa Communications, Inc. (Windstream).

Iowa Code § 476.29(1) provides that a utility must have a CPCN issued by the Board before furnishing land-line 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. In addition to the statutory requirements, to promote the public

interest, the Board requires applicants to provide 2-PIC dialing parity and to participate in thousands-block number pooling.

In its application, ACEC states it was organized in 1938 by member-owners to provide electric service to rural areas in Iowa. ACEC's principal offices are located in Postville, Iowa. ACEC explains it is incorporated in Iowa and is in good standing with the Iowa Secretary of State. ACEC included a copy of its corporate Certificate of Existence as Exhibit B. ACEC explains it will offer local exchange telecommunications services through a combination of methods, including construction of facilities, purchase of unbundled network elements through interconnection agreements or other commercial agreements, and resale.

ACEC provided financial statements and the qualifications of its company officers and asserts it is financially qualified to offer the proposed services. ACEC states it will support 2-PIC dialing methodology for access to interLATA and intraLATA long-distance services. ACEC also states it will use thousands-block number pooling where technically feasible to do so. ACEC provided notice of its application to affected carriers, as required by Iowa Code § 476.29(2) and the Board's rule at 199 IAC 22.20(4).

ACEC asserts in its application that issuing a CPCN to ACEC would promote the public convenience and necessity because doing so would enable ACEC to offer services at competitive prices and benefits to the public not otherwise available. According to ACEC, it has the expertise to provide economical and efficient services

that will offer customers a desirable combination of price, quality, and service. ACEC states it will comply with all requirements that apply to local exchange telecommunications services.

On April 2, 2015, ACEC supplemented its initial filing with a certification acknowledging its obligations regarding customer relations pursuant to the Board's rule at 199 IAC 22.4. In the April 2, 2015, supplemental filing ACEC also clarifies the description of its proposed service territory. ACEC identifies the exchanges in which it intends to provide service in Exhibit A-1. ACEC states it concurs in and adopts the exchange maps of CenturyLink and Windstream on file with the Board and concurs in any changes to those maps that may be made in the future. ACEC also states it will keep its books and records at its principal offices in Postville, Iowa, and will coordinate with the incumbent local exchange carrier, other underlying carriers, or third parties to ensure that its customers are listed in a commonly available public directory.

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 30, 2014, should not include proposed local exchange tariffs. The Board explained that local exchange carriers are expected to make the rate and service information previously included in the retail tariffs accessible to customers by providing that information in another medium. In this proceeding, ACEC has

committed to making the description of its services (including rate information, terms and conditions under which the services will be offered, and a list of the exchanges it serves) available on the company's Web site.

The Office of Consumer Advocate (OCA), a division of the Iowa Department of Justice, filed an appearance in this docket on March 6, 2015. On April 2, 2015, the OCA filed a response indicating it did not object to ACEC's application. Notice was provided to all affected carriers in the proposed service area as required by Iowa Code § 476.29(2) and the Board's rule at 199 IAC 22.20(4) and no objections to ACEC's application were filed.

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

**IT IS THEREFORE ORDERED:**

1. The application for a certificate of public convenience and necessity filed by Allamakee-Clayton Electric Cooperative on March 2, 2015, as supplemented on April 2, 2015, and identified as Docket No. TCU-2015-0003 is granted.

2. Allamakee-Clayton Electric Cooperative's concurrence in the maps and boundaries of Qwest Corporation, d/b/a CenturyLink QC, and Windstream Iowa Communications, Inc., is approved.

3. The Board will issue a certificate of public convenience and necessity, identified as Certificate No. 0373, to Allamakee-Clayton Electric Cooperative concurrently with this order.

**UTILITIES BOARD**

/s/ Elizabeth S. Jacobs

/s/ Nick Wagner

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary, Deputy

/s/ Sheila K. Tipton

Dated at Des Moines, Iowa, this 17<sup>th</sup> day of April 2015.