

LAW OFFICES  
**BLOOSTON, MORDKOFKY, DICKENS, DUFFY & PRENDERGAST, LLP**  
2120 L STREET, NW, SUITE 300  
WASHINGTON, DC 20037

HAROLD MORDKOFKY  
BENJAMIN H. DICKENS, JR.  
JOHN A. PRENDERGAST  
GERARD J. DUFFY  
RICHARD D. RUBINO  
MARY J. SISAK  
D. CARY MITCHELL  
SALVATORE TAILLEFER, JR.

ARTHUR BLOOSTON  
1914 – 1999

(202) 659-0830  
FACSIMILE: (202) 828-5568

AFFILIATED SOUTH AMERICAN OFFICES

ESTUDIO JAUREGUI & ASSOCIATES  
BUENOS AIRES, ARGENTINA

ROBERT M. JACKSON  
OF COUNSEL

PERRY W. WOOFER  
LEGISLATIVE CONSULTANT

EUGENE MALISZEWSKYJ  
DIRECTOR OF ENGINEERING

**FILED VIA ECFS**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554  
Attention: Wireline Competition Bureau

**WRITER'S CONTACT INFORMATION**

202-828-5528  
gjd@bloostonlaw.com

**RE: Panora Communications Cooperative and Prairie Telephone Co., Inc.  
Waiver of Part 36 Study Area Boundary Freeze  
CC Docket No. 96-45**

Dear Ms. Dortch:

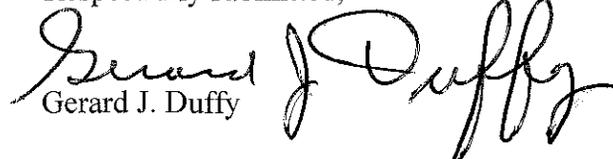
Transmitted herewith, on behalf of Panora Communications Cooperative ("PCC") and Prairie Telephone Co., Inc. ("Prairie") is a copy of the "Order Approving Changes to Exchange Boundary Maps" issued by the Iowa Utilities Board ("IUB") in its Docket No. SPU-2009-0005 on July 30, 2009. The IUB's order approves the transfer of the small portion of Prairie's Yale, Iowa local exchange to PCC's Panora, Iowa local exchange for which the captioned study area waiver is requested. See Public Notice (*Comment Sought on the Joint Petition of Panora Communications Cooperative and Prairie Telephone Co., Inc. to Waive the Study Area Boundary Freeze As Codified in Part 36 of the Commission's Rules*), CC Docket No. 96-45, DA 09-1780, released August 10, 2009.

On Page 3 of its Order, the IUB declares: "In connection with the Board's approval of the changes to the Yale and Panora exchange boundaries, [PCC] and [Prairie] state that they need a waiver of the Federal Communications Commission's (FCC's) study area requirements, . . . The Board does not object to the FCC granting a study area waiver."

If you have any questions regarding this matter, please contact undersigned counsel.

cc: Gary Seigel (via email)  
Katie King (via email)  
Antoinette Stevens (via email)  
Best Copy and Printing, Inc. (via email)

Respectfully submitted,

  
Gerard J. Duffy

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  PANORA COMMUNICATIONS COOPERATIVE AND PRAIRIE TELEPHONE CO., INC., d/b/a WESTERN IOWA NETWORKS	DOCKET NO. SPU-2009-0005
---	--------------------------

**ORDER APPROVING CHANGES TO EXCHANGE BOUNDARY MAPS**

(Issued July 30, 2009)

On May 22, 2009, Panora Communications Cooperative (Panora Communications) and Prairie Telephone Co., Inc., d/b/a Western Iowa Networks (Western Iowa), filed with the Utilities Board (Board) a joint petition for modification of exchange area boundaries. The filing has been identified as Docket No. SPU-2009-0005.

Panora Communications and Western Iowa request that the Board approve the transfer of certain service territories located in Western Iowa's Yale, Iowa, exchange area to Panora Communications' Panora, Iowa, exchange area. The parties assert the boundary change would affect about 35 residential customers whose service with Western Iowa would be discontinued; Panora Communications would then serve these customers from its Panora exchange. Panora Communications states that it has the financial and technical capability to acquire the service area and to provide telecommunications services to all affected customers.

On June 11, 2009, Panora Communications and Western Iowa filed a joint request for an extension of time regarding their joint petition. The parties requested a 45-day extension to prepare and provide a customer notice of the transfer that was in compliance with the requirements set forth in 199 IAC 22.23(2)"e." The Board granted the joint motion by order issued June 22, 2009.

On June 26, 2009, Panora Communications and Western Iowa jointly filed a copy of the notice that was sent to all customers affected by the proposed transfer. The notice contained the terms and conditions of subscribing to Panora Communications' service, including the current rates for local exchange service. The notice also informed the affected customers that they would not be able to keep their existing Western Iowa phone numbers when transferring to Panora Communications, but that these customers could switch to another carrier serving the area at any time. The notice appears to be in compliance with the requirements for customer notice set forth in 199 IAC 22.23(2)"e."

The Board has reviewed the joint application and notice and will approve the proposed changes to the Yale and Panora exchange boundaries submitted by Panora Communications and Western Iowa pursuant to Iowa Code § 476.29(8). The Board finds the changes are reasonable and are in compliance with the Board's rules regarding the discontinuance of service incident to utility property transfer outlined in 199 IAC 7.1(6). Specifically, the Board finds that Panora Communications is ready, willing, and able to provide comparable utility service to the affected customers and that the notice requirements set forth in 199 IAC 22.23(2)"e" have been satisfied.

Both Panora Communications and Western Iowa agree to the boundary changes and no objections to the proposed change have been received.

In connection with the Board's approval of the changes to the Yale and Panora exchange boundaries, Panora Communications and Western Iowa state that they need a waiver of the Federal Communications Commission's (FCC's) study area requirements, which relate to the FCC's methodology for disbursing universal service funds to incumbent local exchange carriers. The Board does not object to the FCC granting a study area waiver.

Panora Communications and Western Iowa's joint request merely changes the boundaries of current exchanges covered by each party's certificate. Therefore, amended certificates are not needed. However, Panora Communications and Western Iowa should file revised exchange maps for the Yale and Panora exchanges within 30 days of the date of this order.

The Board also notes that the Guthrie Center, Iowa, exchange, which is currently being served by Iowa Telecommunications Services, Inc., d/b/a Iowa Telecom (Iowa Telecom), abuts the Yale and Panora exchanges at the point where this service territory transfer will occur. Therefore, Iowa Telecom's Guthrie Center exchange map should be modified sometime after the transfer to properly reflect the boundary changes within the abutting Yale and Panora exchanges. The Board will provide a copy of this order to Iowa Telecom as notice of the exchange boundary changes.

**IT IS THEREFORE ORDERED:**

1. The request by Panora Communications Cooperative and Prairie Telephone Co., Inc., d/b/a Western Iowa Networks, filed on May 22, 2009, and supplemented on June 26, 2009, identified as Docket No. SPU-2009-0005, to change the exchange boundary maps for the Yale and Panora, Iowa, exchanges is granted. Revised maps for the Yale and Panora exchanges shall be filed with the Board within 30 days of the issuance of this order.
2. The proposed changes described in this order are approved and become effective upon the issuance of this order.
3. A copy of this order shall be sent to Iowa Telecommunications Services, Inc., d/b/a Iowa Telecom, as notice of the exchange boundary changes. Iowa Telecom should revise its Guthrie Center, Iowa, map following the completion of the transfer.
4. The Board does not object to a waiver of the Federal Communications Commissions' study area requirements.

**UTILITIES BOARD**

/s/ Robert B. Berntsen

/s/ Krista K. Tanner

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

/s/ Darrell Hanson

Dated at Des Moines, Iowa, this 30<sup>th</sup> day of July, 2009.