

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the matter of	)	
	)	
Iowa Telecommunications Services, Inc.	)	
Tariff FCC No. 1	)	Transmittal No. 22
	)	
	)	
	)	

**ORDER**

**Adopted: July 17, 2002**

**Released: July 17, 2002**

By the Chief, Pricing Policy Division:

**I. INTRODUCTION**

1. Pursuant to section 204(a)(3) of the Communications Act of 1934, as amended<sup>1</sup> Iowa Telecommunications Services, Inc., (Iowa Telecom) filed Transmittal No. 22 revising certain provisions of its interstate access tariff, FCC. No. 1, to become effective July 18, 2002.<sup>2</sup> The filing would reduce the period of notice before Iowa Telecom may discontinue providing service to certain customers who fail to pay for services in a timely manner from 30 days to 15 days. The revision also would allow Iowa Telecom to collect security deposits not only from an existing customer who has a proven history of late payments, but from an existing customer whose “gross monthly billing has increased beyond the amount initially used to estimate a security deposit” or who “represents a significant financial risk based on objective financial standards. . . .”<sup>3</sup> The revision also proposes additional minor recited changes. As justification for this revision, Iowa Telecom states that these revisions will “harmonize” the billing and collection provisions of its interstate tariffs with its intrastate tariff. On July 10, 2002 WorldCom, Inc. (WorldCom) filed a petition to reject, or, in the alternative, to suspend and investigate this tariff.<sup>4</sup> On July 16, 2002, Iowa Telecom filed its reply. In this Order we grant WorldCom’s petition so far as it asks us to suspend and investigate Iowa Telecom’s tariff revision, and suspend for five months and set for investigation Iowa Telecom’s interstate access tariff revision.

<sup>1</sup> 47 U.S.C. § 204(a)(3).

<sup>2</sup> Iowa Telecommunications Services, Inc., Tariff FCC No. 1, Transmittal No. 22 (July 3, 2002).

<sup>3</sup> Tariff FCC No. 1, Third Revised Page 2-12, section 2.4.1(A).

<sup>4</sup> Iowa Telecommunications Services, Inc., Tariff FCC No. 1, Transmittal No. 22, WorldCom Petition to Reject, or, in the Alternative, Suspend and Investigate (July 10, 2002) (*WorldCom Petition*).

## II. DISCUSSION

2. We find that WorldCom raises substantial questions regarding the lawfulness of Iowa Telecom's tariff revision that require further investigation. WorldCom questions whether the revision is unjust and unreasonable in violation of section 201(b) of the Act and whether the language of the revision is vague and ambiguous in violation of sections 61.2 and 61.54 of the Commission's rules.<sup>5</sup> WorldCom further questions whether Iowa Telecom has demonstrated substantial cause for a material change by a dominant carrier in a provision of a term plan.<sup>6</sup> For these reasons, we conclude that substantial questions regarding the lawfulness of Iowa Telecom's FCC Tariff No. 1, Transmittal No. 22 require further investigation, and suspend it for five months. The specific issues that will be the subject of the investigation will be identified in an upcoming designation order and may include, but not be limited to, the issues identified in this paragraph. We may also, by order, identify discrete issues that do not warrant further investigation.

## III. *EX PARTE* REQUIREMENTS

3. This investigation is a permit-but-disclose proceeding and is subject to the requirements of section 1.1206(b) of the Commission's rules, 47 C.F.R. § 1.1206(b), as revised. Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain a summary of the substance of the presentation and not merely a listing of the subjects discussed. More than a one- or two-sentence description of the views and arguments presented is generally required.<sup>7</sup> Other rules pertaining to oral and written presentations are also set forth in section 1.1206(b).

## IV. ORDERING CLAUSES

4. ACCORDINGLY, IT IS ORDERED that, pursuant to section 204(a) of the Communications Act of 1934, as amended, 47 U.S.C. § 204(a), and through the authority delegated pursuant to sections 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91 and 0.291, Tariff FCC No. 1, Transmittal No. 22 of Iowa Telecommunications Services, Inc. IS SUSPENDED for five months and an investigation IS INSTITUTED.

5. IT IS FURTHER ORDERED that Iowa Telecommunications Services, Inc. SHALL FILE a supplement within five business days from the release date of this order reflecting the suspension. Iowa Telecommunications Services, Inc. should cite the "DA" number on the instant order as the authority for the filings.

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<sup>5</sup> 47 U.S.C. § 201(b), 47 C.F.R. §§ 61.2, 61.54; WorldCom Petition at 3-5, 9-10, 7-8.

<sup>6</sup> WorldCom Petition at 10-12.

<sup>7</sup> See 47 C.F.R. § 1.1206(b)(2), as revised.

6. IT IS FURTHER ORDERED that the petition to reject, or, in the alternative, suspend and investigate filed by WorldCom, Inc. IS GRANTED to the extent indicated herein and otherwise IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Tamara L. Preiss  
Chief, Pricing Policy Division  
Wireline Competition Bureau