

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

In the Matter of	)	
	)	
Iowa Telecom Petition for Forbearance Under 47	)	
U.S.C. § 160(c) from the Universal Service High-	)	WC Docket No. 05-337
Cost Loop Support Mechanisms	)	

**ORDER**

**Adopted: April 6, 2007**

**Released: April 6, 2007**

By the Acting Deputy Chief, Wireline Competition Bureau:

1. In this order, pursuant to section 10(c) of the Communications Act of 1934, as amended (the Act),<sup>1</sup> we extend by 90 days the date by which the petition requesting forbearance filed by Iowa Telecommunications Services, Inc. (Iowa Telecom)<sup>2</sup> shall be deemed granted in the absence of a Commission decision that the petition fails to meet the standards for forbearance under section 10(a) of the Act.<sup>3</sup>

2. On May 8, 2006, Iowa Telecom filed a petition asking the Commission to forbear from enforcing sections 36.601-36.631, 54.305, 54.309, 54.313, and 54.314 of the Commission's rules to permit Iowa Telecom to be eligible for high-cost universal service support based on its network's forward-looking economic costs.<sup>4</sup> Iowa Telecom requests that this forbearance remain effective until such time as the Commission adopts a final successor regime to the *Rural Task Force Order* to allow Iowa Telecom to receive loop support based on its network's forward-looking economic costs.<sup>5</sup>

3. Section 10(c) of the Act states that a petition for forbearance shall be deemed granted if the Commission does not deny the petition for failure to meet the requirements for forbearance under

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<sup>1</sup> 47 U.S.C. § 160(c).

<sup>2</sup> Iowa Telecom Petition for Forbearance under 47 U.S.C. 160(c) from the Universal Service High-Cost Loop Support Mechanisms, WC Docket No. 05-337 (filed May 8, 2006) (Iowa Telecom Forbearance Petition); *see also Iowa Telecom Services, Inc. Seeks Forbearance from or Waiver of the Commission's Universal Service Rules to Permit It to Be Eligible for Universal Service Support Under the High-Cost Mechanism for Non-Rural Carriers*, WC Docket No. 05-337, Public Notice, 21 FCC Rcd 6272 (Wireline Comp. Bur. 2006). Comments were due July 3, 2006, and reply comments were due July 18, 2006.

<sup>3</sup> 47 U.S.C. § 160(a).

<sup>4</sup> Iowa Telecom Forbearance Petition at 1. *See* 47 C.F.R. §§ 36.601-36.631, 54.305, 54.309, 54.313, 54.314. Iowa Telecom also filed a petition requesting, in the alternative, waiver of these rules. Iowa Telecom Petition for Interim Waiver of the Commission's Universal Service High-Cost Loop Support Mechanisms, WC Docket No. 05-337 (filed May 8, 2006).

<sup>5</sup> *Id.*; *see also Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Fourteenth Report and Order and Twenty-Second Order on Reconsideration, *Multi-Association Group (MAG) Plan for Regulation of Interstate Services of Non-Price Cap Incumbent Local Exchange Carriers and Interexchange Carriers*, CC Docket No. 00-256, Report and Order, 16 FCC Rcd 11244 (2001) (*Rural Task Force Order*); *Federal-State Joint Board on Universal Service; High-Cost Universal Service Support*, CC Docket No. 96-45, WC Docket No. 05-337, Order, 21 FCC Rcd 5514 (2006) (extending Rural Task Force plan).

section 10(a) within one year after the Commission receives it, unless the Commission extends the one-year period.<sup>6</sup> The Commission may extend the initial one-year period by an additional 90 days if the Commission finds that an extension is necessary to meet the requirements of section 10(a).<sup>7</sup> As the Commission previously has found, extensions of time pursuant to section 10(c) of the Act involve routine and well-adjudicated procedural questions and do not address the substance of the forbearance petitions or any other novel questions.<sup>8</sup> Such extensions, therefore, fall within the authority delegated to the Wireline Competition Bureau (Bureau) pursuant to the Commission's rules.<sup>9</sup>

4. The petition under review raises significant questions regarding whether forbearance from the Commission's rules to permit Iowa Telecom to be eligible to receive high-cost universal service support under the non-rural mechanism meets the statutory requirements set forth in section 10(a). The Bureau thus finds that a 90-day extension is warranted under section 10(c) of the Act.

5. Accordingly, IT IS ORDERED that, pursuant to section 10 of the Communications Act of 1934, as amended, 47 U.S.C. § 160, and authority delegated under sections 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91 and 0.291,<sup>10</sup> the date on which the Iowa Telecom petition seeking forbearance shall be deemed granted, in the absence of a Commission denial of the petition for failure to meet the statutory standards for forbearance, IS EXTENDED to August 6, 2007.

6. IT IS FURTHER ORDERED that, pursuant to authority delegated under sections 0.91, 0.291 and 1.102 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 1.102, this Order SHALL BE EFFECTIVE upon release.

FEDERAL COMMUNICATIONS COMMISSION

Renée R. Crittenden  
Acting Deputy Chief, Wireline Competition Bureau

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<sup>6</sup> 47 U.S.C. § 160(c).

<sup>7</sup> *Id.*

<sup>8</sup> *Fones4All Corp. Petition for Expedited Forbearance Under 47 U.S.C. § 160(c) and Section 1.53 from Application of Rule 51.319(d) to Competitive Local Exchange Carriers Using Unbundled Local Switching to Provide Single Line Residential Service to End Users Eligible for State or Federal Lifeline Service*, WC Docket No. 05-261, Memorandum Opinion and Order, 21 FCC Rcd 11125, 11128 n.17 (2006).

<sup>9</sup> *Id.*; see 47 C.F.R. § 0.91(m).

<sup>10</sup> See 47 U.S.C. § 155(c).