

199—22.1(476) General information.

22.1(1) Application and purpose of rules. The rules shall apply to any telephone utility operating within the state of Iowa subject to Iowa Code chapter 476, and shall supersede all conflicting rules of any telephone utility which were in force and effect prior to the adoption of their superseding rules. Unless otherwise indicated, “telephone utility” or “utility” shall mean both local exchange utility and alternative operator services company. These rules shall be construed in a manner consistent with their intent:

a. To allow fair competition in the public interest while ensuring the availability of safe and adequate communications service to the public.

b. To provide uniform, reasonable standards for communications service provided by telephone utilities.

c. To ensure that the regulated rates of local exchange utilities and the charges of alternative operator services companies for communications service, and regulated services rendered in connection therewith, will be reasonable and just.

d. To ensure that no telephone utility shall unreasonably discriminate among different customers or service categories.

22.1(2) Waiver and modification. If unreasonable hardship to a utility or to a customer or user results from the application of any rule herein prescribed, application may be made to the board for the modification of the rule or for temporary or permanent exemption from its requirements.

The adoption of these rules shall in no way preclude the board from altering or amending them, pursuant to statute, or from making such modifications with respect to their application as may be found necessary to meet exceptional conditions.

22.1(3) Definitions. For the administration and interpretation of these rules, the following words and terms shall have the meaning indicated below:

“*Active account*” refers to a customer who is currently receiving telephone service, or one whose service has been temporarily disconnected (vacation, nonpayment, storm damage, etc.).

“*Adjacent exchange service*” is local telephone service, including extended area service, provided to a customer via direct facility connection to an exchange contiguous to the exchange in which the customer is located.

“*Average busy-season, busy-hour traffic*” means the average traffic volume for the busy-season, busy-hours.

“*Base rate area*” means the developed portion or portions within each exchange service area as set forth in the telephone utility’s tariffs, maps or descriptions.

“*Board*” means the Iowa utilities board.

“*Business service*” means the service furnished to customers where the use is substantially of a business, professional, institutional, or occupational nature, rather than a social and domestic nature.

“*Busy-hour*” means the two consecutive half hours during which the greatest volume of traffic is handled in the office.

“*Busy-season*” means that period of the year during which the greatest volume of traffic is handled in the office.

“*Calls*” means telephone messages attempted by customers or users.

“*Central office*” means a unit in a telephone system which provides service to the general public, having the necessary equipment and operating arrangements for terminating and interconnecting customer lines and trunks or trunks only. There may be more than one central office in a building.

“*Central office access line*” means a circuit extending from the central office equipment to the demarcation point.

“*Channel*” means an electrical path suitable for the transmission of communications.

“*Check of service*” or “*service check*” means an examination, test or other method utilized to determine the condition of customer-provided terminal equipment and existing or new inside station wiring.

“*Class of service*” means the various categories of service generally available to customers, such as business or residence.

“*Customer*” means any person, firm, association, corporation, agency of the federal, state or local government, or legal entity responsible by law for payment for communication service from the telephone utility.

“*Customer provision*” means customer purchase or lease of terminal equipment or new inside station wiring from the telephone company or from any other supplier.

“*Delinquent or delinquency*” means an account for which a bill or payment agreement for regulated services or equipment has not been paid in full on or before the last day for timely payment.

“*Demarcation point*” means the point of connection provided and maintained by the telephone utility to which inside station wiring becomes dedicated to an individual building or facility. For an individual dwelling, this point of connection will generally be immediately adjacent to, or within 12 inches of, the protector or the dwelling side of the protector. The drop and block, including the protector, will continue to be provided by and remain the property of the telephone utility. In the instance where a physical protector does not exist at the point of cable entrance into the building or facility, the demarcation point is defined as the entrance point of the cable into the building or facility.

“*Disconnect*” means the disabling of circuitry preventing both outgoing and incoming communications.

“*Due date*” means the last day for payment without unpaid amounts being subject to a late payment charge or additional collection efforts.

“*Exchange*” means a unit established by a telephone utility for the administration of communication services.

“*Exchange service*” means communication service furnished by means of exchange plant and facilities.

“*Exchange service area*” or “*exchange area*” means the general area in which the telephone utility holds itself out to furnish exchange telephone service.

“*Extended area service*” means telephone service, furnished at flat rates, between end user customers located within an exchange area and all of the end user customers of an additional exchange area. Extended area service is only for calls both originating and terminating within the defined extended area.

“*Foreign exchange service*” means exchange service furnished a customer from an exchange other than the exchange regularly serving the area in which the customer is located.

“*Former account*” refers to a customer whose service has been permanently disconnected, and the final bill either has been paid or has been written off to the reserve for uncollectible accounts.

“*Fully allocated cost study*” means a study performed in accordance with 22.13(3).

“*Fully distributed cost study*” means a study performed in accordance with 22.13(2).

“*Held order for primary service*” means an application for establishment of primary service to a local exchange utility using its existing facilities to provide service not filled within five business days of the customer-requested date, or within 15 business days of the customer-requested date, where no facilities are available. During the period a local exchange utility provides equivalent alternative service, the customer’s order for primary service shall not be considered a held order.

“*Held order for secondary service*” means an application for establishment of secondary service to a local exchange utility using its facilities to provide service not filled within 30 business days or the customer-requested date, whichever is later.

“*Inactive account*” refers to a customer whose service has been permanently disconnected and whose account has not been settled either by payment or refund.

“*Interexchange service*” is the provision of intrastate telecommunications services and facilities between local exchanges, and does not include EAS.

“*Interexchange utility*” means a utility, a resale carrier or other entity that provides intrastate telecommunications services and facilities between exchanges within Iowa, without regard to how such traffic is carried. A local exchange utility that provides exchange service may also be considered an interexchange utility.

“*InterLATA toll service*” means toll service that originates and terminates between local access transport areas.

“IntraLATA toll service” means toll service that originates and terminates within the same local access transport area.

“Intrastate access services” are services of telephone utilities which provide the capability to deliver intrastate telecommunications services which originate from end-users to interexchange utilities and the capability to deliver intrastate telecommunications services from interexchange utilities to end-users.

“Local exchange service” means telephone service furnished between customers or users located within an exchange area.

“Local exchange utility” means a telephone utility that provides local exchange service under tariff filed with the board. The utility may also provide other services and facilities such as access services.

“Message” means a completed telephone call by a customer or user.

“Message rate service” means service for which the customer charges are based on message units depending in part upon the number of originated local or extended area service messages.

“Outside plant” means the telephone equipment and facilities installed on, along, or under streets, alleys, highways, and private rights-of-way between customer locations, central offices or the central office and customer location.

“Percentage of fill” means the ratio of circuits and equipment in use to the total available multiplied by 100.

“Premises” means the space occupied by an individual customer in a building, in adjoining buildings occupied entirely by that customer, or on contiguous property occupied by the customer separated only by a public thoroughfare, a railroad right-of-way, or a natural barrier.

“Primary service” means the initial access to the public switched network.

“Protector” means a utility-owned electrical device located in the central office, at a customer’s premises or anywhere along any telephone facilities which protects both the telephone utility’s and the customer’s property and facilities from over-voltage and over-current by shunting such excessive voltage and currents to ground.

“Rate zone” means an area other than base rate area within an exchange service area where service generally is furnished at uniform rates without mileage charges.

“Rates” shall mean amounts billed to customers for local exchange service and alternative operator services.

“Regulated rates” means single line flat-rated residential and business service rates billed to customers pursuant to Iowa Code section 476.1D(1) as amended by 2005 Iowa Acts, chapter 9, section 1.

“Rural service” means service in an exchange area outside of a base rate area or generally outside a special rate area.

“Secondary service” means services or facilities not classified as primary service.

“Special rate area” means an area within an exchange where service generally is furnished at uniform rates. Usually this comprises a developed area outside of the base rate area which is also known as a “locality rate area” and separated by some distance from the base rate area.

“Suspend” means temporary disconnection or impairment of service which shall disable either outgoing or incoming communications, or both.

“Switching service” means switching performed for service lines.

“Tariff” means the entire body of regulated rates, alternative operator services rates, classifications, rules, procedures, policies, etc., adopted and filed with the board by a telephone utility in fulfilling its role of furnishing communications services.

“Telephone station” means the telephone instrument connected to the network.

“Telephone utility” or *“utility”* means any person, partnership, business association, or corporation, domestic or foreign, owning or operating any facilities for furnishing communications service to the public for compensation.

“Terminal equipment” means all telephone instruments, including pay telephone equipment, the common equipment of large and small key and PBX systems and other devices and apparatus, and associated wirings, which are intended to be connected electrically, acoustically or inductively to the telecommunication system of the telephone utility.

“*Timely payment*” is a payment on a customer’s account made on or before the due date shown: (1) On a current bill for rates and charges, or (2) by an agreement between the customer and a utility for a series of partial payments to settle a delinquent account.

“*Toll connecting trunks*” means a general classification of trunks carrying toll traffic and ordinarily extending between a local office and a toll office.

“*Toll message*” means a message made between different exchange areas for which a charge is made, excluding message rate service charges.

“*Toll rate*” means the charge prescribed for toll messages, usually based upon the duration of the message, the distance between the exchanges, the day and time of the message and the degree of operator assistance.

“*Traffic*” means telephone call volume, based on number and duration of calls.

“*Traffic grade of service*” means the decimal fraction representing the probability of a call being blocked by an all-trunks-busy condition during the average busy-season, busy-hour.

“*Trouble report*” means any call or written statement from a customer or user of telephone service relating to a physical defect or to difficulty or dissatisfaction with the operation of telephone facilities.

“*Wide area service*” means service beyond the local or extended area provided at a flat monthly rate or on a basis differing from customary message toll rates.

22.1(4) Abbreviations.

AOS—Alternative Operator Services

EAS—Extended Area Service

ESS—Electronic Switching System

FAC—Fully Allocated Cost

FDC—Fully Distributed Cost

PBX—Private Branch Exchange

22.1(5) Basic utility obligations. Each telephone utility shall provide telephone service to the public in its service area in accordance with its rules and tariffs on file with the board. Such service shall normally meet or exceed the standards set forth in these rules governing “Rates Charged and Service Supplied By Telephone Utilities.”

22.1(6) Interutility services. Rescinded IAB 12/21/05, effective 1/25/06.