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IDAHO PUBLIC
UTILITIES COMMISSION

Attorneys for Idaho Telephone Association
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BEFORE THE IDAHO PUBLIC UTILITES COMMISSION

IN THE MATTER OF THE PETITION OF
IAT COMMUNICATIONS, INC., d/b/a
NTCHIDAHO, INC. OR CLEAR TALK, FOR
DESIGNATION AS AN ELIGIBLE
TELECOMMUNICATIONS CARRIER

Case Nos. GNR-T-03-08
GNR-T-03-16

**ITA'S MOTION TO COMPEL
DISCOVERY RESPONSES**

IN THE MATTER OF THE APPLICATION
OF NPCR, INC., d/b/a NEXTEL PARTNERS,
SEEKING DESIGNATION AS AN
ELIGIBLE TELECOMMUNICATIONS
CARRIER

The Idaho Telephone Association (“ITA”), by and through its attorneys of record, Givens Pursley LLP, hereby moves the Idaho Public Utilities Commission, pursuant to Rule 37(a) of the Idaho Rules of Civil Procedure, for an Order Compelling Applicants to respond to the ITA’s discovery requests dated August 8, 2003. In support of its Motion, the ITA states as follows:

1. On August 8, 2003, the ITA served essentially identical discovery requests on Applicants Clear Talk and Nextel Partners (“Applicants”). Each of the Applicants objected to a number of the ITA’s requests on a variety of grounds.

2. On September 5, 2003, the Applicants filed their initial set of responses to some of the discovery requests not subject to objection. Thereafter, counsel for all parties discussed

the outstanding requests by telephone and in personal meetings in an attempt to informally resolve their discovery disputes. While some progress was made, the parties were unable to settle all remaining discovery issues.

3. Although there are a number of unanswered discovery requests that ITA believes are well within the scope of valid discovery, this Motion to Compel places only two requests at issue. The first is ITA Request No. 4, which asked each Applicant to:

Please provide copies of the documents relating to [Nextel's/Clear Talk's] decision to file for ETC status in the state of Idaho, including but not limited to memorandums (sic), board of directors minutes, management presentations, correspondence and financial analysis and forecasts.

To date, both Applicants have refused to provide any information in response to this request.

4. In addition, ITA Request No. 14 to Clear Talk asked:

Please provide copies of Clear Talk's financial statements for the six months ended June 30, 2003, and audited financial statements for the fiscal years 2002, 2001 and 2000.

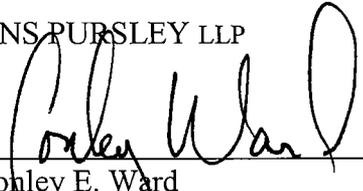
Clear Talk committed to provide its response to this request upon execution of a confidentiality agreement. The ITA executed the agreed upon confidentiality agreement, but has yet to receive any response to this request from Clear Talk.

WHEREFORE, the ITA respectfully requests that the Commission enter an order requiring Clear Talk and Nextel to provide a full and accurate response to the ITA's Production Request No. 4 and requiring Clear Talk to provide a full and accurate response to the ITA's Production Request No. 14.

RESPECTFULLY SUBMITTED This 30th day of September 2003.

GIVENS PURSLEY LLP

By


Conley E. Ward

Attorneys for Idaho Telephone Association

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of September 2003, I caused to be served a true and correct copy of the foregoing document by the method indicated below, and addressed to the following:

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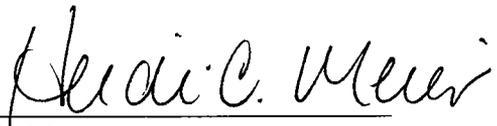
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Heidi C. Meier