



Exhibit 5

THOMAS J. VILSACK, GOVERNOR
SALLY J. PEDERSON, LT. GOVERNOR

JOHN R. NORRIS, CHAIRMAN
DIANE MUNNS, BOARD MEMBER
CURTIS W. STAMP, BOARD MEMBER

May 25, 2006

Frank Burnette
802 Insurance Exchange Building
505 Fifth Avenue
Des Moines, Iowa 50309-2317

Dear Mr. Burnette:

I am in receipt of your letter of May 22, 2006, asking the Iowa Utilities Board to investigate the actions of AT&T and Verizon Cellular with respect to allegations that those companies, and others, have provided the National Security Agency with access to certain information. Unfortunately, the Board does not have jurisdiction to conduct such an investigation; the services you describe are deregulated in Iowa.

Specifically, Iowa Code § 476.1D requires that the Board deregulate communications services that are subject to effective competition. Pursuant to that statutory duty, the Board has deregulated the long distance services provided by AT&T and the mobile communications services provided by Verizon. Long distance was deregulated in two steps, in 1989 and 1996, and mobile telephone service was deregulated in 1986.

When services are deregulated, "the jurisdiction of the board as to the regulation of [those] communications services is not applicable...." (Iowa Code § 476.1D(1).) Thus, the Board does not have jurisdiction to conduct the investigation you request.

I hope you find this information helpful. If you have any comments or questions concerning this matter, please feel free to contact me at my direct number, 515-281-8272, or by email at david.lynch@iub.state.ia.us.

Sincerely,

A handwritten signature in black ink, appearing to read "David J. Lynch".

David J. Lynch
General Counsel

Cc:
Iowa Civil Liberties Union
Qwest Corporation