

DECISION MEMORANDUM

TO: COMMISSIONER REDFORD
COMMISSIONER SMITH
COMMISSIONER KEMPTON
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL

FROM: NEIL PRICE

DATE: JUNE 16, 2008

SUBJECT: APPLICATION OF ACCESS POINT INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY; CASE NO. ACS-T-08-01

On February 14, 2008, Access Point Inc. (“Access” or “Company”) filed an Application for a Certificate of Public Convenience and Necessity pursuant to *Idaho Code* §§ 61-526 through 528, IDAPA 31.01.01.111 and Commission Order No. 26665 to provide resold facilities-based and local exchange telecommunications services in the State of Idaho. *Application* at 1. Subsequently, Commission Staff submitted data requests to Access for additional information pertaining to its Application. On May 8, 2008, Access filed its responses to these data requests.

THE APPLICATION

Access is a North Carolina corporation and lists its principal place of business as Cary, North Carolina. *Id.* at 2. Access offers telecommunications services in every state within the lower 48 United States. *Id.* at Exhibit E. The Company is registered with the Idaho Secretary of State as a limited liability company and lists TCS Corporate Services, Inc. 5481 Kendall Street, Boise, Idaho 83706, as its Idaho registered agent for service. *Id.* at 2.

The Company states that it “currently offers resold long distance service throughout the state of Idaho.” *Id.* at 1. In its filing, the Company “proposes to provide local telecommunications service to residential and business customers . . . throughout the state of Idaho in all exchanges not exempt from competition.” *Id.* at 1, 5.

Access states further that it intends “to offer service through UNE-P facilities and resale agreements with ILEC’s located in the State pursuant to interconnection agreement(s). . .”

Id. at 5. Operator assisted services, such as 911 emergency calls, will be “handled by its underlying carrier” and then routed to the “appropriate emergency agency.” *Id.*

Access will offer 24-hour toll-free customer assistance once it initiates operations. *Id.* The Company intends to offer service in “both Qwest North and Qwest South service territories.” Data Response No. 2. The Company has provided the Commission with the appropriate “Financial Information” and “Illustrative Tarriff Fillings.” *See id.* at 3, Exhibit F and Exhibit H; *see also* Data Responses, Attachments I-VII. The Company will not be collecting deposits from its customers. *See* Data Response No. 7.

STAFF RECOMMENDATION

Staff has reviewed Access’ Application and recommends that it be processed through Modified Procedure.

COMMISSION DECISION

Should Access’ Application for a Certificate of Public Convenience and Necessity be processed through Modified Procedure?



Neil Price

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