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Attorney for the Commission Staff

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION OF)
ACCESS POINT, INC. FOR A CERTIFICATE) **CASE NO. ACS-T-08-1**
OF PUBLIC CONVENIENCE AND NECESSITY)
TO PROVIDE LOCAL EXCHANGE AND)
TELECOMMUNICATIONS SERVICES) **COMMENTS OF THE**
) **COMMISSION STAFF**
)

COMES NOW the Staff of the Idaho Public Utilities Commission, by and through its Attorney of record, Neil Price, Deputy Attorney General, and in response to the Notice of Application and Notice of Modified Procedure in Order No. 30598 issued on July 17, 2008, submits the following comments.

BACKGROUND

On February 14, 2008, Access Point, Inc. ("Access") filed an Application for a Certificate of Public Convenience and Necessity to provide telecommunications services in the State of Idaho pursuant to Commission Order No. 26665.

Access will provide resold local exchange and interexchange telecommunications services within Idaho.

Access will offer service through UNE-P facilities and resale agreements with incumbent local exchange carriers located in Idaho pursuant to interconnection agreement(s).

Access's operator assisted services, such as 911 emergency calls, will be handled by its underlying carrier and then routed to the appropriate emergency agency.

Access's service territory will include Qwest North and Qwest South's current Idaho service territories.

Access states that it will not be requiring deposits or advance payments and requests a waiver from the requirement of an escrow account with a bonded escrow agent for deposits and/or advanced payments. Order No. 26665.

STAFF REVIEW

Staff reviews all requests for a CPCN certificate pursuant to Idaho Code §§ 61-526 through -528, IDAPA 31.01.01.111 and 112 (Rules 111 and 112), and Procedural Order No. 26664. To obtain a CPCN, an Applicant must provide the Commission with the following information: (1) name, address, and form of business; (2) the date on which the applicant proposes to begin construction or anticipates that it will provide service, including a written description of customer classes and services proposed to be offered; (3) the proposed service territory; (4) certain financial information; (5) maps regarding the proposed service area; (6) a proposed initial tariff and price sheets; (7) contact information; (8) interconnection agreements if any; (9) an agreement to comply with the Commission's Rules; and (10) an escrow account with a bonded escrow agent if the company requires advanced deposits from its customers. Order No. 26665.

Through its review of the Application and numerous discussions with the Company, Staff has determined that the Company's filing complies with the requirements of the Commission. Staff believes that the Company understands and agrees to comply with the Commission rules and requirements. Staff further believes that the Company possesses the requisite financial, managerial, and technical qualification necessary to operate as a provider of telecommunications services.

STAFF RECOMMENDATION

Based on its review of the Application, Staff recommends approval of the Application for a Certificate with a waiver of the escrow account requirement. In the future, should the Company decide to collect deposits, it must comply with the escrow requirement as well as the Commission's rules for interest on deposits.

Respectfully submitted this 7th day of August 2008.

A handwritten signature in black ink, appearing to read "Neil Price", written over a horizontal line.

Neil Price
Deputy Attorney General

Technical Staff: Carolee Hall

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 7TH DAY OF AUGUST 2008, SERVED THE FOREGOING **COMMENTS OF THE COMMISSION STAFF**, IN CASE NO. ACS-T-08-01, BY MAILING A COPY THEREOF, POSTAGE PREPAID, TO THE FOLLOWING:

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