

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF THE APPLICATION )**  
**OF AIRESRING, INC. FOR A ) CASE NO. ASI-T-10-01**  
**CERTIFICATE OF PUBLIC )**  
**CONVENIENCE AND NECESSITY ) NOTICE OF APPLICATION**  
**)**  
**) NOTICE OF**  
**) MODIFIED PROCEDURE**  
**)**  
**) ORDER NO. 32063**

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**NOTICE OF APPLICATION**

YOU ARE HEREBY NOTIFIED that on July 1, 2010, Airespring, Inc. (“Airespring” or “Company”) filed an Application for a Certificate of Public Convenience and Necessity (“CPCN”), pursuant to *Idaho Code* §§ 61-526 through -528<sup>1</sup> and IDAPA 31.01.01.111 (Rules 111 and 112), to provide local exchange telecommunications services.

YOU ARE FURTHER NOTIFIED that Airespring states in its Application that it will initially provide resold local exchange services. Airespring seeks authority and intends to offer all forms of switched and non-switched intrastate local exchange telecommunications services.

YOU ARE FURTHER NOTIFIED that the Company has no current plan to install facilities in Idaho, but may do so in the future.

YOU ARE FURTHER NOTIFIED that Airespring’s proposed Idaho service territory will include all areas of Idaho currently being served by existing incumbent local exchange carriers (“ILECs”). The Company states that it will not offer its services in areas already being served by carriers that are eligible for the small or rural carrier exemption under section 251 of the federal Telecommunications Act of 1996 (“Federal Act”).

YOU ARE FURTHER NOTIFIED that Airespring attached a copy of its illustrative tariff to its Application.

YOU ARE FURTHER NOTIFIED that Airespring states that it has reviewed the laws and regulations governing local exchange telecommunications services and will provide service

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<sup>1</sup> Pursuant to the Idaho Telecommunications Act of 1988, specifically *Idaho Code* § 62-604(1)(a), Airespring is exempt from Title 61 regulation.

in accordance with Idaho law and the rules and regulations of the Commission to the extent they are not preempted by the Federal Act.

YOU ARE FURTHER NOTIFIED that Airespring has not established an escrow account because it will not require its customers to submit advance payments or deposits in exchange for service.

**NOTICE OF MODIFIED PROCEDURE**

YOU ARE FURTHER NOTIFIED that the Commission has determined that the public interest may not require a formal hearing in this matter and will proceed under Modified Procedure pursuant to Rules 201 through 204 of the Idaho Public Utilities Commission's Rules of Procedure, IDAPA 31.01.01.201 through .204. The Commission notes that Modified Procedure and written comments have proven to be an effective means for obtaining public input and participation.

YOU ARE FURTHER NOTIFIED that any person desiring to state a position on this Application may file a written comment in support or opposition with the Commission within twenty-one (21) days from the service date of this Notice. The comment must contain a statement of reasons supporting the comment. Persons desiring a hearing must specifically request a hearing in their written comments. Written comments concerning this Application shall be mailed to the Commission and the Applicant at the addresses reflected below:

Commission Secretary	Lance J.M. Steinhart
Idaho Public Utilities Commission	Lance J.M. Steinhart, P.C.
PO Box 83720	1720 Windward Course, Suite 115
Boise, ID 83720-0074	Alpharetta, GA 30005
	E-Mail: <a href="mailto:lsteinhart@telecomcounsel.com">lsteinhart@telecomcounsel.com</a>

Street Address for Express Mail:

472 W. Washington Street  
Boise, ID 83702-5918

These comments should contain the case caption and case number shown on the first page of this document. Persons desiring to submit comments via e-mail may do so by accessing the Commission's home page located at [www.puc.idaho.gov](http://www.puc.idaho.gov). Click the "Comments and Questions" icon, and complete the comment form, using the case number as it appears on the front of this document. These comments must also be sent to the Applicant at the e-mail address listed above.

YOU ARE FURTHER NOTIFIED that if no written comments or protests are received within the time limit set, the Commission will consider this matter on its merits and enter its Order without a formal hearing. If written comments are received within the time limit set, the Commission will consider them and, in its discretion, may set the same for formal hearing.

YOU ARE FURTHER NOTIFIED that the Application has been filed with the Commission and is available for public inspection during regular business hours at the Commission offices. The Application is also available on the Commission's web site at [www.puc.idaho.gov](http://www.puc.idaho.gov) by clicking on "File Room" and then "Telephone Cases."

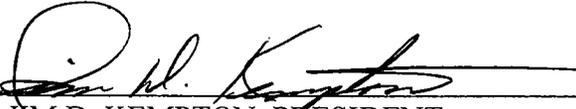
YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission's jurisdiction under Title 62 of the Idaho Code, specifically *Idaho Code* § 62-604 and 62-615. The Commission may enter any final Order consistent with its authority under Title 62 and Commission Rule of Procedure 114, IDAPA 31.01.01.114.

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

#### **ORDER**

IT IS HEREBY ORDERED that this Application be processed under Modified Procedure. Persons interested in submitting written comments regarding this case or protesting the use of Modified Procedure should do so no later than 21 days from the service date of this Order.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 1<sup>st</sup>  
day of September 2010.

  
JIM D. KEMPTON, PRESIDENT

  
MARSHA H. SMITH, COMMISSIONER

  
MACK A. REDFORD, COMMISSIONER

ATTEST:

  
Jean D. Jewell  
Commission Secretary

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