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Attorney for the Commission Staff

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF THE APPLICATION OF)
BROADVOX-CLEC, LLC FOR A CERTIFICATE) CASE NO. BCL-T-09-1
OF PUBLIC CONVENIENCE AND NECESSITY)
TO PROVIDE LOCAL EXCHANGE)
TELECOMMUNICATIONS SERVICES.) COMMENTS OF THE
) COMMISSION STAFF**

COMES NOW the Staff of the Idaho Public Utilities Commission, by and through its Attorney of record, Kristine A. Sasser, Deputy Attorney General, and in response to the Notice of Application and Notice of Modified Procedure issued in Order No. 30788 on April 23, 2009 in Case No. BCL-T-09-01, submits the following comments.

BACKGROUND

On February 26, 2009, Broadvox-CLEC, LLC (Broadvox) filed an Application for a Certificate of Public Convenience and Necessity (CPCN) to provide resold and facilities-based telecommunications services in the State of Idaho. The Company intends to provide resold and facilities-based local exchange services using unbundled network elements, or the equivalent thereof.

The Company initially proposes to provide resold local exchange services and to purchase unbundled network elements, or the equivalents thereof, through interconnection or commercial

agreements provided by existing local exchange carriers Qwest North, Qwest South, and Verizon. Broadvox currently has no plans to install facilities in Idaho but may choose to do so in the future. The Company does not intend to provide service to areas serviced by small or rural local exchange carriers.

Broadvox is incorporated in Delaware, with authorization to do business as a foreign limited liability company in the State of Idaho. Although the Company does not have an office located in Idaho, its registered agent for service of process is listed as Incorp Services, Inc., in Boise.

STAFF ANALYSIS

Broadvox's Application states that it intends to provide all forms of intrastate local exchange and interexchange telecommunications services including interexchange switched and dedicated services, local exchange services for business and residence customers, switched local exchange services, non-switched local services, Centrex and/or Centrex-like services, DSL, ISDN, and other high capacity line services. The illustrative price list submitted with the Application describes a standard residence and business line as, "a single, analog, voice-grade telephonic communications channel which can be used to place or receive one call at a time."

Broadvox affirms it has reviewed the laws and regulations of the Commission governing local exchange telecommunications services in Idaho and will provide service in accordance with Idaho's laws, rules and regulations.

Although the Company proposes to provide resold local exchange services in Idaho, it has not yet initiated interconnection or resale negotiations. Broadvox intends to file its proposed price list establishing its proposed services and charges upon completion of an interconnection agreement and upon receipt of certification by the Commission.

Broadvox submitted several consolidated financial statements in its Application for the period ending December 2005 and 2006.

STAFF RECOMMENDATION

Staff has reviewed the Application by Broadvox and believes the Company understands and agrees to comply with Commission Rule of Procedure 111 (IDAPA 31.01.01.111) and Procedural Order No. 26665. Staff believes that the Company possesses the requisite financial,

managerial, and technical qualifications necessary to operate as a provider of telecommunications services. Staff, therefore, recommends Commission approval of the Application for a Certificate of Public Convenience and Necessity subject to the following conditions:

1. Compliance with the Number Pool Administrator and Idaho Commission Order No. 30425 mandating number resource utilization/forecast (NRUF) reporting requirements;
2. Contribution to the Idaho Universal Service Fund (USF), Idaho Telecommunications Relay Service (TRS), Idaho Telephone Service Assistance Program (ITSAP), and any future reporting requirements deemed appropriate for competitive telecommunications providers; and
3. Upon CPCN issuance, filing a final and complete price list with the Commission containing all of its rates, terms and conditions.

Respectfully submitted this 14TH day of May 2009.



Kristine A. Sasser
Deputy Attorney General

Technical Staff: Grace Seaman

i:umisc:comments/bclt09.1kgs

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 14TH DAY OF MAY 2009, SERVED THE FOREGOING **COMMENTS OF THE COMMISSION STAFF**, IN CASE NO. BCL-T-09-01, BY MAILING A COPY THEREOF, POSTAGE PREPAID, TO THE FOLLOWING:

LANCE J M STEINHART PC
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SECRETARY

CERTIFICATE OF SERVICE