

DECISION MEMORANDUM

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

FROM: NEIL PRICE

DATE: MARCH 31, 2008

SUBJECT: APPLICATION OF BANDWIDTH.COM CLEC, LLC FOR A
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY; CASE
NO. BND-T-07-01

On October 29, 2007, Bandwidth.com CLEC, LLC (“Bandwidth.com”) 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 facilities-based and resold local exchange telecommunications services in the state of Idaho. *Application* at 1.

THE APPLICATION

Bandwidth.com is a Delaware corporation and lists its principal place of business as Cary, North Carolina. *Id.* at 2. The Company is registered with the Idaho Secretary of State as a limited liability company and lists CT Corporation System, 1111 W. Jefferson #530, Boise, Idaho 83702, as its Idaho registered agent for service. *Id.* at 2.

Bandwidth.com states that it currently provides telecommunications services in the states of California, Florida, Illinois, New York, North Carolina, Ohio, Pennsylvania, and Texas. *Id.* The Company “will offer traditional voice services to customers utilizing the public switched network, Applicant will also offer services using Internet Protocol to provide voice over data applications.” *Id.* at 1. The Company intends to “enter into the appropriate interconnection and service arrangements with Qwest Corporation (“Qwest”)” in order to “provide resold and facilities-based local exchange telecommunications services to both business and residential customers in the state of Idaho.” *Id.* at 4

“Bandwidth.com does not currently own facilities or property in Idaho.” *Id.* at 5. The Company intends to offer its services throughout the State of Idaho but it “does not plan to provide service in areas of any small or rural local exchange carrier.” *Id.* at 4. The Company has provided the Commission with the appropriate “Financial Information” and “Illustrative Tarriff Fillings.” *See Id.* at 5, Exhibit C and Exhibit D.

STAFF RECOMMENDATION

Staff has reviewed Bandwidth.com’s Application and recommends that it be processed through Modified Procedure.

COMMISSION DECISION

Should Bandwidth.com’s Application for a Certificate of Public Convenience and Necessity be processed through Modified Procedure?



Neil Price
Deputy Attorney General

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