

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF THE APPLICATION)
OF CINCINNATI BELL ANY DISTANCE) CASE NO. BWT-T-12-01
INC. FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO)
PROVIDE LOCAL EXCHANGE) ORDER NO. 32677
TELECOMMUNICATIONS SERVICES)
_____)**

On April 12, 2012, Cincinnati Bell Any Distance Inc. applied to the Commission for a Certificate of Public Convenience and Necessity (CPCN) authorizing it to provide resold and facilities-based local exchange telecommunications service to business customers in Idaho. On October 10, 2012, the Commission solicited public input on the Application and set an October 31, 2012 comment deadline. *See* Notice of Application and Notice of Modified Procedure, Order No. 32658. Commission Staff filed the only comments in the case and supported the company's Application.

Having reviewed the record, we grant the Company's Application for a CPCN as set forth below.

THE APPLICATION

In its Application, the Company says it is a Delaware corporation that is authorized to do business in Idaho. The Company has no Idaho offices. Its principal place of business is in Ohio. A subsidiary of Cincinnati Bell Inc., Cincinnati Bell Technology Solutions Inc., owns 100% of the Company's outstanding shares. *See* Application at 2-3.

The Company says it has provided long-distance services in Idaho since 2003. It now seeks to provide competitive local exchange services to business customers, including exchange access service using resold services from the underlying incumbent local exchange carrier or other authorized carriers. The Company may also provide service using its own facilities, or a combination of resold and facilities-based services. *Id.* at 1, 4.

The Company says it has a nationwide coverage agreement with Access Point, Inc., and it intends to negotiate interconnection agreements with CenturyLink QC or other carriers. *Id.* at 6. The Company will offer services throughout Idaho, and will compete with the incumbent CenturyLink as well as numerous CLECs. *Id.* at 4.

THE COMMENTS

Staff reviewed the Company's Application for compliance with applicable legal requirements for acquiring a CPCN, including RP 114, which specifies the information that a CLEC must include in its application. Based on that review, Staff believes the Company understands and agrees to comply with the Commission's rules and requirements. Staff also believes the Company possesses the requisite financial, managerial, and technical qualifications necessary to provide local exchange telecommunications services. Therefore, Staff recommended that the Commission issue a CPCN to the Company, subject to the following conditions:

1. The Company must comply with the number pooling and reporting requirements of the North American Numbering Plan Administrator (NANPA).¹
2. The Company must comply with all reporting and contribution requirements of Idaho's Universal Service Fund (USF; *Idaho Code* § 62-610; IDAPA 31.46.01), Telecommunications Relay Services (TRS) program (*Idaho Code* § 61-1304; IDAPA 31.46.02); and Telecommunications Service Assistance (TSA) program (*Idaho Code* § 56-904);²
3. The Company must comply with all future reporting requirements deemed appropriate by the Commission for competitive telecommunications providers;
4. Before the Commission issues the CPCN, the Company must file a final price list with all rates, terms, and conditions with the Commission;³ and
5. The Company must relinquish its CPCN and all telephone numbers if, within one year of the issuance of a CPCN, the Company is not providing basic local exchange service in Idaho.⁴

¹ See Commission Order No. 30425.

² See Commission Order Nos. 32637, 32524, and 32526.

³ See IDAPA 31.01.01.133 and Commission Order No. 26665 at 10.

⁴ "'Basic local exchange service' means the provision of access lines to residential and small business customers with the associated transmission of two-way interactive switched voice communication within a local exchange calling area." *Idaho Code* § 62-603(1).

DISCUSSION AND FINDINGS

Based on our review of the record, including the Company's Application and Staff's comments, we find that the Company's Application complies with RP 114. Thus, we approve the Company's Application for a CPCN to provide local exchange telecommunications services within Idaho, subject to the following conditions: (1) the Company must comply with the NANPA's number pooling and reporting requirements; (2) the Company must comply with all reporting and contribution requirements of Idaho's USF, TRS program, and TSA program; (3) the Company must comply with all future reporting requirements deemed appropriate by the Commission for competitive telecommunications providers; (4) before the Commission issues the CPCN, the Company must file a final price list with all rates, terms, and conditions; and (5) the Company must relinquish its certificate and all telephone numbers if, within one year of the issuance of a CPCN, the Company is not providing local exchange telecommunications services in Idaho.

ORDER

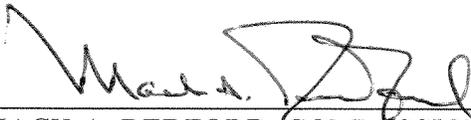
IT IS HEREBY ORDERED that the Company's Application for a CPCN is granted subject to the above conditions.

THIS IS A FINAL ORDER. Any person interested in the Order may petition for reconsideration within twenty-one (21) days of the service date of this Order with regard to any matter decided in this Order. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. *See Idaho Code* § 61-626.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 8th
day of November 2012.



PAUL KJELLANDER, PRESIDENT

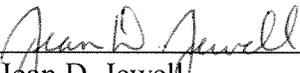


MACK A. REDFORD, COMMISSIONER



MARSHA H. SMITH, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

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