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Attorney for the Commission Staff

## **BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

<b>IN THE MATTER OF THE APPLICATION OF</b>	)	
<b>COMTECH 21, LLC FOR A CERTIFICATE OF</b>	)	<b>CASE NO. CME-T-04-1</b>
<b>PUBLIC CONVENIENCE AND NECESSITY TO</b>	)	
<b>PROVIDE LOCAL EXCHANGE</b>	)	
<b>TELECOMMUNICATIONS SERVICES.</b>	)	<b>COMMENTS OF THE</b>
	)	<b>COMMISSION STAFF</b>
	)	
	)	

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**COMES NOW** the Staff of the Idaho Public Utilities Commission, by and through its Attorney of record, Lisa D. Nordstrom, Deputy Attorney General, submits the following comments in response to the Notice of Application and Notice of Modified Procedure, Order No. 29548, issued on July 26, 2004.

### **BACKGROUND**

On February 12, 2004, COMTECH 21, LLC ( "Company") filed an Application for a Certificate of Public Convenience and Necessity to provide resold competitive local exchange service throughout the State of Idaho.

COMTECH 21 is incorporated in the state of Delaware and headquartered in Wallingford, Connecticut. The Company has obtained a Certificate of Authority to transact business as a foreign corporation from Idaho's Secretary of State. Although the Company does not maintain an office in Idaho, it does have a registered in-state agent. COMTECH 21 has

submitted its financials for the period ending September 30, 2003. Staff has reviewed these documents and believes the Company is solvent.

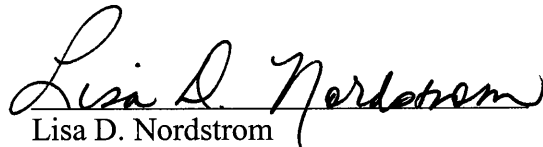
With this Application, COMTECH 21 proposes to provide resold residential and business local exchange service, private line service, Centrex, and high capacity data services along with optional services such as Caller ID and Call Waiting in Idaho's Qwest and Verizon service areas. The Company does not propose to require separate deposits at this time. The Company has obtained an interconnection agreement with Qwest in Idaho.

COMTECH 21 has been granted authority to provide local exchange service in several other states such as Delaware and Ohio, and has an active long distance price list on file with this Commission. COMTECH 21 also states that it has reviewed the rules of this Commission and affirms its commitment to abide by them.

#### **STAFF RECOMMENDATION**

Staff has reviewed the Application submitted by COMTECH 21, LLC and believes the Company understands and agrees to comply with the Commission's rules and requirements. Based on this review of COMTECH 21's Application, Staff believes that the Company's filing has satisfied all the requirements of the Commission's Rules and Procedural Order No. 26665. Therefore, Staff recommends approval of the Application for Certificate of Public Convenience and Necessity.

Respectfully submitted this 5<sup>th</sup> day of August 2004.

  
Lisa D. Nordstrom  
Deputy Attorney General

Technical Staff: Doug Cooley

umisc/comments/cmet04.1Indc

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE 5TH DAY OF AUGUST 2004, SERVED THE FOREGOING **COMMENTS OF THE COMMISSION STAFF**, IN CASE NO. CME-T-04-1, BY MAILING A COPY THEREOF, POSTAGE PREPAID, TO THE FOLLOWING:

LANCE JM STEINHART  
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SECRETARY

CERTIFICATE OF SERVICE