

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF SILVER STAR TELEPHONE )  
COMPANY, INC. AND COLUMBINE TELEPHONE ) CASE NOS. COL-T-15-01  
COMPANY, INC.'S APPLICATION TO APPROVE ) SIL-T-15-01  
TRANSFER OF IDAHO ASSETS, OPERATIONS )  
AND CERTIFICATE ) ORDER NO. 33423  
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On October 29, 2015, Silver Star Telephone Company, Inc. and Columbine Telephone Company, Inc. filed an Application for Commission approval of the transfer of Silver Star's Idaho local exchange assets, operations and certificated service area under Certificate No. 207 to its sister company, Columbine. The proposed asset transfer does not involve discontinuance of service and will not affect customer service, but is essentially a corporate structure name change. Accordingly, we approve the Application as more fully described herein.

**BACKGROUND**

Silver Star is a certificated telephone corporation organized under Wyoming state laws and provides telecommunication services, including regulated Title 61 local exchange services within Idaho and Wyoming. Silver Star is the incumbent local exchange carrier ("ILEC") in Idaho's Irwin and Wayan exchanges under Certificate No. 207. The Company has served the two exchanges for over 50 years and currently serves about 500 local exchange customers. Application at 2.

Columbine is a certificated telephone corporation organized under Wyoming state laws and provides telecommunications services, including regulated Title 61 local exchange services within Idaho. Columbine is the ILEC in the Idaho exchanges of Driggs, Tetonia, and Victor, under Certificate No. 329. *Id.* Columbine acquired these exchanges from U S WEST Communications in 1997, during the sale of its rural telephone exchanges in southern Idaho. *Id.* Columbine was specifically incorporated to serve these exchanges, to facilitate a rate freeze in the acquired exchanges following the acquisition, and to accommodate the then-existing IRS Section 1031 exchange restrictions. *Id.*

Since the 1997 acquisition, Columbine has upgraded the local exchange switching and transmission facilities to provide state-of-the-art digital telecommunications service to all of its customers. *Id.* at 3. Silver Star's exchanges have also been upgraded to state-of-the-art

digital telecommunications facilities. *Id.* Silver Star is a designated eligible telecommunications carrier (“ETC”) in Idaho and Wyoming. *Id.* Both Companies are wholly owned subsidiaries of Horizon Communications, Inc. and hold Certificates of Good Standing with the Idaho Secretary of State’s Office. *Id.* (Exh. A and B).

### **THE APPLICATION**

Silver Star proposes to transfer all of its customer information and accounts, including any customer deposits, to Columbine. Customer deposits will be handled by Columbine, consistent with Commission Rules (*see* Telephone Customer Relations Rules 31.41.01.100-.109) and Columbine’s revised tariff (*see* Confidential Preliminary Revised Tariff). These changes will be transparent to the Irwin and Wayan exchange customers. Application at 4. Silver Star and Columbine currently maintain separate cost accounting for purposes of Title 61 operations in the exchanges, and Columbine intends to maintain the exchange separation. *Id.* Silver Star and Columbine affirm that no costs associated with the asset transfer will be assigned as costs to the Title 61 customers. *Id.* Silver Star has provided customer notification of the intended transfer of service responsibility to Columbine. *Id.* (Exh. C). Finally, Silver Star asks to surrender Certificate No. 207, contingent upon approval of the asset transfer and amendment of Columbine’s Certificate No. 329, to include Irwin and Wayan exchanges. *Id.* at 4.

The Companies assert that the proposed asset transfer will simplify the management, operations, and accounting for both companies. According to the Companies, the requested relief “amounts in essence to a corporate structure name change that will not affect individual customer service.” *Id.* at 5. Silver Star and Columbine request an effective date of November 30, 2015, for Silver Star’s discontinuance of service. *Id.*

### **COMMISSION FINDINGS AND DECISION**

We have reviewed the Application, including revised tariffs, and Staff’s decision memorandum recommending approval. Although the Application cites Rule 20, which concerns discontinuance of telecommunications service, we note that the Companies’ requested relief will not impact customers’ telecommunications service, but effectively seeks a “corporate structure name change” only. Application at 5. Accordingly, we find it unnecessary to process this case under our Modified Procedure rules, IDAPA 31.01.01.201-210. Because the asset and operations transfer will be transparent to Silver Star’s customers, and will not disrupt customers’ service, we approve the requested relief without further process. *See* IDAPA 31.01.01.021-022.

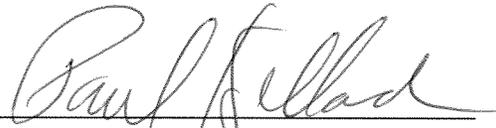
Specifically, we approve: (1) the transfer of Silver Star's Idaho Title 61 assets and certificated service area for the Irwin and Wayan exchanges to Columbine; (2) the discontinuance of Silver Star's local exchange service in the Irwin and Wayan exchanges and cancellation of Certificate No. 207; and (3) the amendment of Columbine's Certificate No. 329 to incorporate the Irwin and Wayan exchanges. Columbine must still seek Commission approval of financing aspects related to the completion of the transfer, approved herein, through a separate Application.

**ORDER**

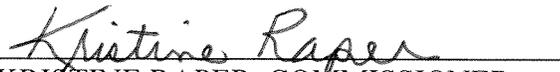
IT IS HEREBY ORDERED that Silver Star and Columbine's Application to approve transfer of Idaho assets, operations, and Certificate is granted as discussed above. The Certificate will be issued upon the Commission's receipt of the amended tariffs from Columbine.

THIS IS A FINAL ORDER. Any person interested in this Order may petition for reconsideration within twenty-one (21) days of the service date of 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.

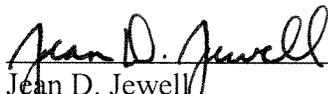
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 24<sup>th</sup> day of November 2015.

  
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PAUL KJELLANDER, PRESIDENT

  
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MARSHA H. SMITH, COMMISSIONER

  
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KRISTINE RAPER, COMMISSIONER

ATTEST:

  
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Jean D. Jewell  
Commission Secretary

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