(text box: 1)BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

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| IN THE MATTER OF THE APPLICATION OF SILVER STAR TELEPHONE COMPANY, COLUMBINE TELEPHONE COMPANY, INC.  D.B.A. TETON TELECOM COMMUNICA­-  TIONS AND US WEST COMMUNICA­TIONS, INC. FOR ORIGINAL AND AMENDED CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY, RESPECTIVELY. | )  )  )  )  )  )  )  )  ) | CASE NOS.  USW-T-97-17   COL-T-97-1 |

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| IN THE MATTER OF THE APPLICATION OF MIDVALE TELEPHONE EXCHANGE, INC.  AND SAWTOOTH TELEPHONE, INC. AND US WEST COMMUNICA­TIONS, INC. FOR ORIGINAL AND AMENDED CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY, RESPECTIVELY. | )  )  )  )  )  )  )  ) | CASE NOS.  USW-T-97-17   SAW-T-97-1 |

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| IN THE MATTER OF THE APPLICATION OF CAMBRIDGE TELEPHONE COMPANY AND COUNCIL TELEPHONE COMPANY AND US WEST COMMUNICA­TIONS, INC. FOR ORIGINAL AND AMENDED CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY, RESPECTIVELY. | )  )  )  )  )  )  )  )  ) | CASE NOS.  USW-T-97-17   COU-T-97-1 |

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| IN THE MATTER OF THE APPLICATION OF DIRECT COMMUNICATIONS ROCKLAND, INC. (FORMERLY ROCKLAND TELEPHONE COMMUNICATIONS, INC.) AND DIRECT COMMUNICATIONS LAKESIDE, INC.  (FORMERLY LAKESIDE COMMUNICATIONS, INC.) AND US WEST COMMUNICA­TIONS, INC. FOR ORIGINAL AND AMENDED CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY, RESPECTIVELY. | )  )  )  )  )  )  )  )  )  )  ) | CASE NOS.  USW-T-97-17   DCL-T-97-1 |

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| IN THE MATTER OF THE APPLICATION OF FARMERS MUTUAL TELEPHONE COOPERATIVE AND US WEST COMMUNICATIONS, INC. FOR AMENDED CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY. | )  )  )  )  )  )  )  ) | CASE NOS.  USW-T-97-17   FMT-T-97-1 |

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| IN THE MATTER OF THE APPLICATION OF PROJECT MUTUAL TELEPHONE COOPERA­TIVE AND US WEST COMMUNICATIONS, INC. FOR AMENDED CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY . | )  )  )  )  )  )  ) | CASE NOS.  USW-T-97-17   PRJ-T-97-1 |

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| IN THE MATTER OF THE JOINT APPLICA­TION OF FREMONT TELCOM CO. AND US WEST COMMUNICA­TIONS, INC. FOR ORIGINAL AND AMENDED CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY, RESPECTIVELY. | )  )  )  )  )  )  )  ) | CASE NOS.  USW-T-97-17   FRE-T-97-1 |
| IN THE MATTER OF THE JOINT APPLICA­TION OF ALBION TELEPHONE COMPANY AND WESTEL, INC.AND US WEST COMMUNICA­TIONS, INC. FOR ORIGINAL AND AMENDED CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY, RESPECTIVELY. | )  )  )  )  )  )  )  ) | CASE NOS.  USW-T-97-17   WTL-T-97-1  ORDER NO.  27166 |

In Order Nos. 26198, 26242 and 26353, the Commission appproved the sale of twelve US WEST exchanges to various purchasers.  The purchasers included Albion Telephone Company, Westel, Inc. (a subsidiary of Albion), Fremont Telcom Co., Silver Star Telephone Company, Columbine Telephone Company, Inc. d.b.a. Teton Telecom Communications, Cambridge Telephone Company, Council Telephone Company, Direct Communications Lakeside, Inc. (formerly Lakeside Communications, Inc.), Direct Communications Rockland, Inc. (formerly Rockland Telephone Company, Inc.), Farmers Mutual Telephone Cooperative, Project Mutual Telephone Cooperative Association, Inc., Midvale Telephone Exchange, Inc., and Sawtooth Telephone, Inc.  In approving the sales, the Commission required the parties to submit new or amended Certificates of Public Convenience and Necessity to reflet the sales transactions.  On September 4, 1997, US WEST and the purchasers filed joint Applications Seeking new or amended Certificate of Public Convenience and Necessity.  In this Order, the Commission grants a portion of the Applications.(footnote: 1)  See Order Nos. 27168 and 27169.

BACKGROUND

The necessity for this Order originated in the sale by US WEST of certain exchanges to each of the purchasers. US WEST is a local exchange carrier (LEC) that provides local exchange and other telecommunications services to more than 300,000 customers in southern Idaho.  Silver Star, Columbine d.b.a. Teton, Cambridge, Council, Direct Communications Lakeside, Direct Communications Rockland., Midvale, and Sawtooth are much smaller LECs providing services in rural southern Idaho.  Both Project Mutual and Farmers Mutual are mutual non-profit telephone corporations.

1.The Primary Transaction.

The sales to Silver Star, Columbine, Cambridge, Council, Midvale, and Sawtooth were part of a larger transaction involving the sale of eleven U S WEST exchanges to seven different purchasers.  Order No. 26353, p. 2.  In September 1994, each of these companies and US WEST filed a joint Application with the Commission requesting approval of the sales transactions.  In March 1996, upon reconsideration and subject to certain conditions, the Commission approved the sales of these exchanges and the transfers of the Certificate.  Order No. 26353.  That Order required US WEST to amend its Certificate of Public Convenience and Necessity to reflect the sales of the transferred exchanges.  In addition, each of the respective purchasers were required to file an application to include the purchased exchanges within each purchaser’s certificated service area within sixty (60) days of the completed sales and transfers.  Order No. 26353, p. 22.  Final closings of each sale contemplated by Order No. 26353 were completed on May 14, 1997.  The telephone exchanges involved in these cases were:  Arco, Mackay, and Malad exchanges to Westel (subsidiary to Albion);  Council exchange to Cam­bridge;  Stanley exchange to Midvale;  Ashton, Island Park, and St. Anthony exchanges to Fremont;  Driggs exchange to Silver Star;  and Paris exchange to Rockland.

2.Project Mutual.

In September 1994, Project Mutual and US WEST filed a joint Application with the Commission, requesting approval of the sale of the Oakley, Idaho exchange located in Cassia County to Project Mutual.  In October 1995, subject to certain conditions, the Commission approved the sale for the exchange and the transfer of US WEST’s Certificate.  Order No. 26198.  Among other things, that Order required US WEST to amend its Certificate of Public Convenience and Necessity and required Project Mutual to file an application with the Commission to include the Oakley exchange within Project Mutual’s certificated service area within sixty (60) days of completion of the sale and transfer.  Order No. 26198, p. 22.  Final closing of the Oakley sale occurred on May 14, 1997.

3.Farmers Mutual.

On August 1, 1995, Farmers Mutual and US WEST filed a joint Application with the Commission requesting approval of the sale of Nu Acres exchange from US WEST to Farmers.  In November 1995, subject to certain conditions, the Commission approved the sale for the exchange and the transfer of US WEST’s Certificate.  Order No. 26242.  Among other things, that Order required US WEST to amend its Certificate of Public Convenience and Necessity and required Farmers Mutual to file an application with the Commission to include the Nu Acres exchange within Farmer Mutual’s certificated service area within sixty (60) days of the completed sale and transfer.  Order No. 26242, p. 4.  The purchase and sale of the Nu Acres exchange occurred on October 31, 1996.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1.Silver Star, Columbine, Cambridge, Council, Direct Communications Lakeside,  Direct Communications Rockland, Midvale, and Sawtooth.

In Order No. 26353 the Commission found that, as conditioned in that order, the sale and transfer of the exchanges to these Companies and the expansion of these companies’ respective Certificates of Public Convenience and Necessity to reflect those acquired exchanges was reasonable and not adverse to the public interest.

As a further condition of the approval of the sale and transfer of these exchanges, the Commission required US WEST to amend its Certificate of Public Convenience and Necessity to reflect the sale of transferred exchanges, and required the purchasers to file Applications to include the purchased exchanges within the their certificated service area within sixty (60) days of the close of each respective purchase and sale.  Id. at p. 22.

According to US WEST and the Companies, the purchases and sales have been completed and the purchasers have assumed control of the sold exchanges.  The Applications include maps and legal descriptions of the boundaries of  the sold exchanges.

The Commission finds that these Applications were filed to comply with this Commission’s Order No. 26353 and, thus, the Commission finds that no further proceedings are necessary.  The Commission finds that the amendments to US WEST’s Certificate of Public Convenience and Necessity are reasonable.  The Commission further finds the issuance of new Certificates of Public Convenience and Necessity to each of these purchasers reflects the acquisition of the respective exchanges purchased from US WEST and are also reasonable.

2.Project Mutual.

As conditioned in Order No. 26198, the Commission finds that the sale and transfer of the Oakley exchange to Project Mutual and the amendment of Project Mutual’s Certificate of Public Convenience and Necessity to reflect the addition of the Oakley exchange was reasonable and not adverse to the public interest.  Order No. 26198 at p. 13.

As a further condition of the approval of the sale and transfer of this exchange, the Commission required US WEST to amend its Certificate of Public Convenience and Necessity to reflect the sale of the Oakley exchange, and required Project Mutual to file an application to include the Oakley exchange within its certificated service area within sixty (60) days of the close of the purchase and sale.  Id. at p. 13.

US WEST and Project Mutual state that the purchase and sale have been completed and Project Mutual has assumed control of the Oakley exchange.  The Application includes maps and legal descriptions of the boundaries of the sold exchange.

The Commission finds that this Application was filed to comply with this Commission’s Order No. 26198 and, thus, the Commission finds that no further proceedings are necessary.  The Commission finds the amendments to US WEST’s Certificate of Public Convenience and Necessity are reasonable.  The Commission further finds the amendment of Project Mutual’s Certificate of Public Convenience and Necessity to reflect the acquisition of the Oakley exchange purchased from US WEST is reasonable.

3.Farmers Mutual.

As conditioned in Order No. 26242, the Commission found that the sale and transfer of the Nu Acres exchange to Farmers Mutual and the amendment of Farmers Mutual’s Certificate of Public Convenience and Necessity to reflect the addition of the Nu Acres exchange was reasonable and not adverse to the public interest.  Order No. 26242. at pp. 3 & 5.

As a further condition of the approval of the sale and transfer of this exchange, the Commission required US WEST to amend its Certificate of Public Convenience and Necessity to reflect the sale of the Nu Acres exchange, and required Farmers Mutual to file an application to include the Nu Acres exchange within its certificated service area within sixty (60) days of the close of the purchase adn sale.  Id. at p. 5.

US WEST and Farmers Mutual state that the purchase and sale has been completed and Farmers Mutual has assumed control of the Nu Acres exchange.  The Application includes maps and legal descriptions of the boundaries of the sold exchange.

The Commission finds that this Application was filed to comply with this Commission’s Order No. 26242 and, thus, the Commission finds that no further proceedings are necessary.  The Commission finds the amendments to US WEST’s Certificate of Public Convenience and Necessity are reasonable.  The Commission further finds the amendment of Farmers Mutual’s Certificate of Public Convenience and Necessity correctly reflects the acquisition of the Nu Acres exchange purchased from US WEST and is reasonable.

ORDER

IT IS HEREBY ORDERED that the joint Applications filed by U S WEST and Fremont Telcom Co., Albion Telephone Company, Westel, Inc., Silver Star Telephone Company, Columbine Telephone Company, Inc., Cambridge Telephone Company, Council Telephone Company, Direct Communications Lakeside, Inc., Farmers Mutual Telephone Cooperative, Project Mutual Telephone Cooperative Association, Inc., Midvale Telephone Exchange, Inc., Sawtooth Telephone, Inc. for an Amended Certificate of Public Convenience and Necessity for US WEST are granted in conformity with Order Nos. 26198, 26242, 26353.

IT IS FUTHER ORDERED that the joint Applications filed by US WEST and Silver Star Telephone Company, Columbine Telephone Company, Inc. dba Teton Telecom Communications, Cambridge Telephone Company, Council Telephone Company, Direct Communications Lakeside, Inc., Direct Communications Rockland, Inc., Midvale Telephone Exchange, Inc., and Sawtooth Telephone, Inc. for new individual Certificates of Public Convenience and Necessity for each of the respective individual Companies to reflect the acquisition of the exchanges purchased from US WEST are granted in conformity with Order No. 26353.

IT IS FUTHER ORDERED that the joint Application filed by US WEST and Project Mutual Telephone Cooperative Association, Inc. for an Amended Certificate of Public Convenience and Necessity for Project Mutual Telephone Cooperative Association, Inc. to reflect the acquisition of the Oakley exchange purchased from US WEST is granted in conformity with Order No. 26198.

IT IS FUTHER ORDERED that the joint Application filed by US WEST and Farmers Mutual Telephone Cooperative for an Amended Certificate of Public Convenience and Necessity for Farmers Mutual Telephone Cooperative to reflect the acquisition of the Nu Acres exchange purchased from US WEST is granted in conformity with Order No. 26242.

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                  day of October 1997.

                                                                                                                                      DENNIS S. HANSEN, PRESIDENT

                                                                                           RALPH NELSON, COMMISSIONER

MARSHA H. SMITH, COMMISSIONER

ATTEST:

Myrna J. Walters

Commission Secretary

USW-T-97-17.cc

**FOOTNOTES**

1:

Fremont and Westel also applied for new Certificates of Public Convenience and Necessity.  See Orders Nos. 27168 and 27169.  However, because these Applications enlarged the boundaries of the certificated service area to include territory not previously served by US WEST, the Commission determined that these Applications should proceed under Modified Procedure pursuant to Procedural Rules 201 through 204.

**COMMENTS AND ANNOTATIONS**

Text Box 1:

**TEXT BOXES**

Office of the Secretary

Service Date

October 20, 1997