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IDAHO PUBLIC
UTILITIES COMMISSION

Attorneys for Custer Telephone Broadband Services LLC

ORIGINAL

BEFORE THE
IDAHO PUBLIC UTILITIES COMMISSION

IN RE THE APPLICATION OF CUSTER)
TELEPHONE BROADBAND SERVICES) CASE NO. CTB-T-11-01
LLC FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO) CUSTER TELEPHONE
PROVIDE BASIC LOCAL EXCHANGE) BROADBAND SERVICES LLC'S
SERVICE IN IDAHO) APPLICATION

APPLICATION OF CUSTER TELEPHONE BROADBAND SERVICES LLC

Custer Telephone Broadband Services LLC (hereinafter referred to as "CTBS" or "Applicant"), by and through its attorneys, Givens Pursley LLP, pursuant to Idaho Code §§ 61-526 through 528, IDAPA 31.01.01.111 and Procedural Order No. 26665, hereby applies to the Idaho Public Utilities Commission (the "Commission") for a Certificate of Public Convenience and Necessity to authorize CTBS to provide competitive local exchange services in Idaho.

I. Proposed Services

Applicant currently provides broadband, CATV, and Ethernet transport service to over one thousand five hundred (1,500) residents and businesses in portions of Custer and Lemhi Counties.

Applicant is a facilities-based provider utilizing multiple technologies such as fiber to the premise (FTTP), cable modem service, and point-to-point wireless. Applicant intends to upgrade and expand its facilities to provide basic local exchange service to its current customers and to potential customers in Salmon, Idaho and the surrounding areas. Applicant will also lease facilities from Custer Telephone Cooperative, Inc., to provide the service. Applicant may also lease transport facilities from ILECs in the above referenced areas and other areas of Idaho and will do so pursuant to negotiated interconnection agreements. Applicant will market its products directly to its current

customers through its web page, bill stuffers, and other professional communications. Applicant intends to produce radio, newspaper and direct mail marketing materials to inform the public of its new service.

II. Form of Business

1. Applicant is a Limited Liability Company

- (1) Applicant is a limited liability company formed on December 21, 2005 providing Cable Television, and broadband internet access services
- (2) Applicant's Articles of Organization are filed with the Secretary of State, State of Idaho
- (3) Applicant's mailing address and physical addresses are:

Mailing Address:

Custer Telephone Broadband Services LLC
P.O. Box 324
Challis, Idaho 83226

Physical Address

Custer Telephone Broadband Services LLC
1101 East Main Ave.
Challis, Idaho 83226

- (4) A certified Copy of the Applicant's Articles of Organization is attached to this application as Exhibit 1.
- (5) A copy of the certificate of existence issued by the Idaho Secretary of State is attached to this application as Exhibit 2.
- (6) Applicant's registered agent in the State of Idaho is:

Dennis L. Thornock
Custer Telephone Cooperative, Inc.
1101 East Main Ave.
P.O. Box 324
Challis, Idaho 83226

2. The names and addresses of Applicant's Officers and Board of Managers are as follows:

<u>Name</u>	<u>Address</u>	<u>Title</u>
Dennis L. Thornock	P.O. Box 324 Challis, Id	President
Ron A. Rembelski	P.O. Box 324 Challis, Id	Vice President
Teresa Westergard	P.O. Box 324 Challis, Id	Secretary/Treasure
Clayton R Severe	P.O. Box 324 Challis, Id	Board Manager
Hubert Miller	P.O. Box 324 Challis, Id	Board Manager
Ken Crisp	P.O. Box 324 Challis, Id	Board Manager
Mike Harvie	P.O. Box 324 Challis, Id	Board Manager
Jim Martiny	P.O. Box 324 Challis, Id	Board Manager
William C Ebberts	P.O. Box 324 Challis, Id	Board Manager
Gary Ingram	P.O. Box 324 Challis, Id	Board Manager

3. Custer Telephone Cooperative, Inc. owns one hundred percent (100%) of the membership interests of Applicant.
4. There are no subsidiaries owned or controlled by the Applicant.

III. Telecommunications Service

1. Applicant has installed the preliminary facilities and equipment to provide basic local exchange service. Applicant is currently beta testing service on its different technological facilities i.e. fiber to the premise (FTTP), cable modem, and point-to-point wireless. Applicant intends to provide basic local exchange service by November 2011 providing Applicant has obtained the approval from the Commission and entered into the needed interconnection agreements with Century Link, Qwest and Custer Telephone Cooperative, Inc.
2. Applicant will provide service to residential and commercial customers.

IV. Service Territory

1. Applicant initially plans to provide service in the Salmon, Idaho and areas immediately surrounding the Salmon, Idaho area which are being served by Century Link, as more particularly shown on Applicant's map, attached hereto as Exhibit 3. In the future, Applicant plans to expand into those Century Link service areas identified on Exhibit 3 as the "Future Service Area."
2. Applicant anticipates minor construction to interconnect with Century Link (applicant has facilities within 100 feet of Century Link Central office).

3. Applicant has infrastructure in the City of Salmon and surrounding area comprised of the following: Fiber Optic cable, Fiber-Coaxial hybrid CATV system, point-to-point wireless licensed and WIFI, building complex including customer service area, offices and environmentally controlled central electronics area.

V. Financial Information

Financial information demonstrating Applicant's financial qualifications is being filed separately as Exhibit 4 in a separately sealed envelope marked "Confidential and Proprietary."

VI. Illustrative Tariff

Applicant's proposed "Illustrative" price list and price sheets setting forth rates rules, terms and regulations applicable to the contemplated service is attached to this Application as Exhibit 5.

VII. Customer Contacts

1. Contact Information for the applicant

- (a) The name, address, telephone number and electronic mailing addresses of the person(s) responsible for consumer inquiries and complaints from the public is:

Shelly Helm
1101 East Main Ave.
P.O. Box 324
Challis, Idaho 83226
(866) 879-2281
csr@custertel.net

- (b) Applicant's toll free number for customer inquiries and complaints is (866) 879-2281.

- (c) The name, number, and electronic mailing address of the person(s) designated as a contact for the Commission Staff for resolving complaints, inquiries and matters concerning rates and price lists or tariffs is:

Dennis L Thornock
1101 East Main Ave.
P.O. Box 324
Challis, Idaho 83226
(866) 879-2281
dennis@custertel.net

VIII. Interconnection Agreements

The Applicant will initiate interconnection negotiations with Century Link, Qwest (for Extended Area Service) and Custer Telephone Cooperative, Inc. after this Application is granted.

IX. Compliance with Commission Rules

The Applicant has reviewed all of the Commission rules and agrees to comply with them, or request for waiver of those rules believed to be inapplicable.

X. Escrow Account of Security Bond

Applicant may require advanced deposits and if so, will comply with all Commission rules.

RESPECTFULLY SUBMITTED this 20th day of May 2011.

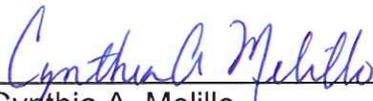
By: Cynthia A. Melillo
Cynthia A. Melillo
GIVENS PURSLEY LLP
Attorneys for Custer Telephone
Broadband Services LLC

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of May 2011, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

Jean Jewell
Idaho Public Utilities Commission
472 West Washington Street
Boise, ID 83702

- U.S. Mail
- Overnight Mail
- Hand Delivery
- Fax (466-8903)



Cynthia A. Melillo

EXHIBIT 1

State of Idaho

Office of the Secretary of State

I, BEN YSURSA, Secretary of State of the State of Idaho, hereby certify that I am the custodian of the limited liability company records of this State.

I FURTHER CERTIFY That the annexed is a full, true and complete duplicate of articles of organization of **CUSTER TELEPHONE BROADBAND SERVICES LLC**, an Idaho limited liability company, received and filed in this office on 21 December 2005 under the file number W 45701 , including any amendments filed thereto, as appears of record in this office as of this date.

Dated: May 5, 2011



Ben Yursa

SECRETARY OF STATE

By _____

[Signature]



ARTICLES OF ORGANIZATION LIMITED LIABILITY COMPANY

(Instructions on back of application)

FILED EFFECTIVE

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SECRETARY OF STATE
STATE OF IDAHO

1. The name of the limited liability company is:

Custer Telephone Broadband Services LLC

2. The street address of the initial registered office is:

1111 S. Main Street, Challis, Idaho 83226

and the name of the initial registered agent at the above address is:

Dennis Thornock

3. The mailing address for future correspondence is:

1111 S. Main Street, Challis, Idaho 83226

4. Management of the limited liability company will be vested in:

Manager(s) or Member(s) (please check the appropriate box)

5. If management is to be vested in one or more manager(s), list the name(s) and address(es) of at least one initial manager. If management is to be vested in the member(s), list the name(s) and address(es) of at least one initial member.

Name	Address
<u>Clyde L. Phillips</u>	<u>1111 S. Main Street, Challis, Idaho 83226</u>
_____	_____
_____	_____
_____	_____
_____	_____

6. Signature of at least one person responsible for forming the limited liability company:

Signature: Cynthia A Melillo

Typed Name: Cynthia A. Melillo

Capacity: Organizer

Signature _____

Typed Name: _____

Capacity: _____

Secretary of State use only

W45701

g:\corpforms\LLC forms\articlesoforganization.p65
Revised 07/2002

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EXHIBIT 2

State of Idaho

Office of the Secretary of State

CERTIFICATE OF EXISTENCE
OF
CUSTER TELEPHONE BROADBAND SERVICES LLC

File Number W 45701

I, BEN YSURSA, Secretary of State of the State of Idaho, hereby certify that I am the custodian of the limited liability company records of this State.

I FURTHER CERTIFY That the records of this office show that the above-named limited liability company filed articles of organization in Idaho on 21 December 2005.

I FURTHER CERTIFY That the limited liability company has not been dissolved.

Dated: May 5, 2011

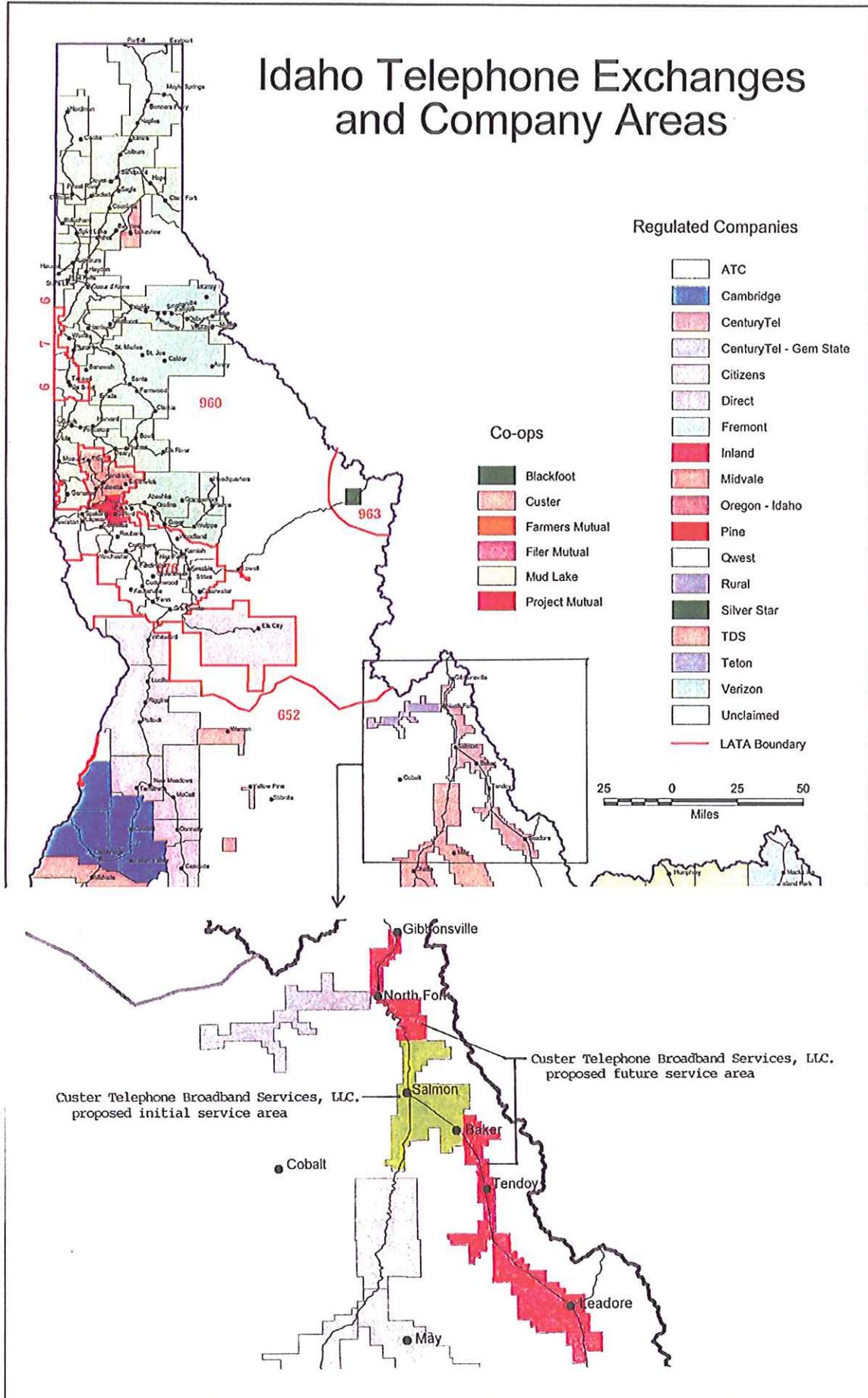


Ben Yursa
SECRETARY OF STATE

By *John L. ...*

EXHIBIT 3

Idaho Telephone Exchanges and Company Areas



**THIS EXHIBIT ALLEGEDLY CONTAINS
TRADE SECRETS OR CONFIDENTIAL
MATERIAL AND IS SEPARATELY FILED.**

EXHIBIT 4