

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

<b>IN THE MATTER OF CUSTER TELEPHONE</b>	)	
<b>COOPERATIVE, INC.'S PETITION FOR</b>	)	<b>CASE NO. CUS-T-07-01</b>
<b>AMENDMENT OF ITS CERTIFICATED</b>	)	
<b>SERVICE AREA BOUNDARY</b>	)	<b>NOTICE OF APPLICATION</b>
	)	
	)	<b>NOTICE OF</b>
	)	<b>MODIFIED PROCEDURE</b>
	)	
	)	<b>ORDER NO. 30260</b>

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YOU ARE HEREBY NOTIFIED that on February 14, 2007, Custer Telephone Cooperative, Inc. filed a Petition for Amendment of Certificated Service Area Boundary, asking the Commission to amend Custer's Certificate of Public Convenience and Necessity to include three areas identified as Yankee Fork, Morgan Creek, and Slate Creek areas. Custer is a mutual, non-profit telephone company over which the Commission has very little regulatory authority. Custer's Petition states that the Commission issued a Certificate to Custer pursuant to *Idaho Code* § 62-615. That statute authorized the Commission to issue a Certificate to mutual telephone corporations that requested them. Section 62-615 was repealed by the Legislature in 1997 and replaced with a new Section 62-615, and now does not authorize the Commission to issue exclusive service area certificates to mutual telephone companies.

YOU ARE FURTHER NOTIFIED that the Commission does have authority to designate a geographic service area for eligible telecommunications carriers, including mutual telephone companies, pursuant to *Idaho Code* § 62-610E. "Service area" is defined at *Idaho Code* § 62-610B(3) as "a geographic area designated by the commission for the purpose of determining universal service obligations of eligible telecommunications carriers." For rural telephone companies, "'service area' means the company's 'study areas' as established by the federal communications commission and the public utilities commission." The Commission will consider whether to change the boundaries of Custer's service area, as identified in its Certificate, pursuant to *Idaho Code* § 62-610E.

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YOU ARE FURTHER NOTIFIED that the Yankee Fork, Morgan Creek and Slate Creek areas are outside Custer's current certificated area. Custer's Petition asserts that the three areas are not within the service area of any other telecommunications carrier, nor are they in the vicinity of any existing line, plant or system of another public utility.

YOU ARE FURTHER NOTIFIED that the Commission has determined that the public interest may not require a formal hearing in this matter and will proceed under Modified Procedure pursuant to Rules 201 through 204 of the Idaho Public Utilities Commission's Rules of Procedure, IDAPA 31.01.01.201-204. The Commission notes that Modified Procedure and written comments have proven to be an effective means for obtaining public input and participation.

YOU ARE FURTHER NOTIFIED that any person desiring to state a position on this Application may file a written comment in support or opposition with the Commission within twenty-one (21) days from the service date of this Notice. The comment must contain a statement of reasons supporting the comment. Persons desiring a hearing must specifically request a hearing in their written comments. Written comments concerning this Application may be mailed to the Commission and the Applicant at the addresses reflected below:

Commission Secretary  
Idaho Public Utilities Commission  
PO Box 83720  
Boise, Idaho 83720-0074

Street Address for Express Mail:

472 W. Washington Sreet  
Boise, ID 83702-5983

Dennis Thornock, Manager  
Custer Telephone Cooperative, Inc.  
1111 South Main  
PO Box 324  
Challis, ID 83226

Michael C. Creamer  
Givens Pursley LLP  
601 West Bannock Street  
PO Box 2720  
Boise, ID 83701

These comments should contain the case caption and case number shown on the first page of this document. Persons desiring to submit comments via e-mail may do so by accessing the Commission's home page located at [www.puc.idaho.gov](http://www.puc.idaho.gov). Click the "Comments and Questions" icon, and complete the comment form, using the case number as it appears on the front of this document.

YOU ARE FURTHER NOTIFIED that if no written comments or protests are received within the time limit set, the Commission will consider this matter on its merits and enter its Order without a formal hearing. If written comments are received within the time limit set, the Commission will consider them and, in its discretion, may set the same for formal hearing.

YOU ARE FURTHER NOTIFIED that the Application and supporting workpapers, testimonies and exhibits have been filed with the Commission and are available for public inspection during regular business hours at the Commission offices or on the Commission's Website at [www.puc.idaho.gov](http://www.puc.idaho.gov) under the "File Room" and "Telephone Cases."

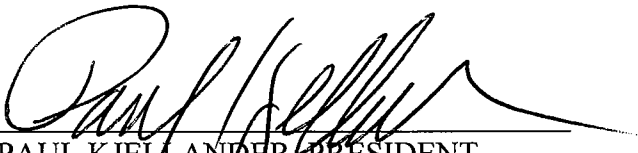
YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission's jurisdiction under Title 61 of the Idaho Code and that the Commission may enter any final order consistent with its authority under Title 61.

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission's Rules of Procedure, IDAPA 31.01.01.000 et seq.

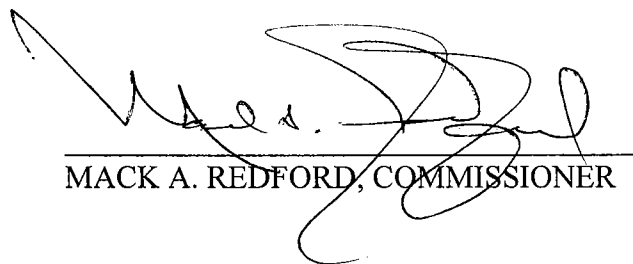
#### **ORDER**

IT IS HEREBY ORDERED that the Petition of Custer Telephone Cooperative, Inc. for amendment of its certificated service area boundary be processed by Modified Procedure, IDAPA 31.01.01.201-.204. Persons interested in submitting written comments in this matter must do so no later than 21 days from the service date of this Order.

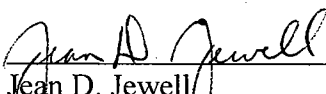
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 28<sup>th</sup>  
day of February 2007.

  
PAUL KJELLANDER, PRESIDENT

  
MARSHA H. SMITH, COMMISSIONER

  
MACK A. REDFORD, COMMISSIONER

ATTEST:

  
Jean D. Jewell  
Commission Secretary

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