

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF THE APPLICATION )  
OF COVAD COMMUNICATIONS ) CASE NO. CVD-T-04-1  
COMPANY FOR A CERTIFICATE OF )  
PUBLIC CONVENIENCE AND NECESSITY ) NOTICE OF APPLICATION  
TO PROVIDE COMPETITIVE )  
TELECOMMUNICATIONS SERVICES ) NOTICE OF MODIFIED  
WITHIN THE STATE OF IDAHO ) PROCEDURE  
)  
) NOTICE OF COMMENT/  
) PROTEST DEADLINE  
)  
) ORDER NO. 29647**

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**NOTICE OF APPLICATION**

YOU ARE HEREBY NOTIFIED that on October 19, 2004, Covad Communications Company filed an Application for a Certificate of Public Convenience and Necessity with the Commission seeking its review and approval.

YOU ARE FURTHER NOTIFIED that, according to its Application, the Company requests authority to offer basic resold and facilities-based local exchange services and resold interexchange service to both residential and business customers throughout Idaho in all exchanges which are not exempt from competition. Should its Application be approved, Covad plans to commence offering service immediately upon the establishment of the appropriate and necessary network arrangements.

YOU ARE FURTHER NOTIFIED that the Application states that Covad is a California corporation authorized by the Idaho Secretary of State to transact business within the State of Idaho. Covad Communications Company is a wholly owned subsidiary of its parent corporation, Covad Communications Group, Inc., a telecommunications services business. The Application states that the parent company is a leading national broadband service provider of high-speed Internet and network access utilizing Digital Subscriber Line (DSL) technology, covering more than 45 million homes and businesses throughout the contiguous United States and reaching approximately 45 percent of all U.S. homes and businesses. Covad plans to

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provide telecommunications services to residential and business customers in rural and urban areas throughout the State of Idaho.

YOU ARE FURTHER NOTIFIED that the Application filed in Case No. CVD-T-04-1, may be viewed online at [www.puc.state.id.us](http://www.puc.state.id.us) by clicking on "File Room" and "Telecommunication Cases," or it can be viewed during regular business hours at the offices of the Idaho Public Utilities Commission, 472 West Washington Street, Boise, Idaho.

#### **NOTICE OF MODIFIED PROCEDURE**

YOU ARE FURTHER NOTIFIED that the Commission has reviewed the filing of record in Case No. CVD-T-04-1. The Commission has preliminarily determined that the public interest may not require a hearing to consider the issues presented in this case and that issues raised by the Company's filing may be processed under **Modified Procedure**, i.e., by written submission rather than by hearing. IDAPA 31.01.01.201-204. In so doing, the Commission notes that Modified Procedure and written comment have proven to be an effective means for obtaining public input and participation.

YOU ARE FURTHER NOTIFIED that the Commission may not hold a hearing in this proceeding unless it receives written protests or comments opposing the use of Modified Procedure and stating why Modified Procedure should not be used. IDAPA 31.01.01.203.

YOU ARE FURTHER NOTIFIED that if no protests or written comments are received within the deadline, the Commission will consider the matter and enter its Order without a hearing. If protests or comments are filed within the deadline, the Commission will consider them and may, in its discretion, set the matter for hearing or decide the matter and issue its Order on the basis of the written positions before it. IDAPA 01.01.01.204.

#### **NOTICE OF COMMENT/PROTEST DEADLINE**

YOU ARE FURTHER NOTIFIED that **the deadline for filing written comments or protests** with respect to the Application and the Commission's use of Modified Procedure in Case No. CVD-T-04-1 is **21 days from the service date of this Order**. Persons desiring a hearing must specifically request a hearing in their written protests or comments. IDAPA 31.01.01.203.

YOU ARE FURTHER NOTIFIED that written comments concerning Case No. CVD-T-04-1 should be mailed to the Commission and to Covad Communications Company at the addresses reflected below.

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

Street Address For Express Mail:  
472 W. Washington Street  
Boise, ID 83702-5983

For Covad Communications Company:

Monique Byrnes  
Technologies Management, Inc.  
PO Box 200  
Winter Park, FL 32789  
E-mail: [mbyrnes@tminc.com](mailto:mbyrnes@tminc.com)

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 homepage located at [www.puc.state.id.us](http://www.puc.state.id.us). Click the "Comments and Questions" icon, and complete the comment form, using the case number as it appears on the front of this document. These comments must also be sent to the Applicant at the address listed above.

#### **ORDER**

IT IS HEREBY ORDERED that this case be processed under Modified Procedure. Persons interested in submitting written comments regarding this case or protesting the use of Modified Procedure should do so no later than 21 days from the service date of this Order.

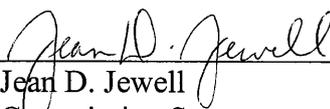
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 1<sup>st</sup>  
day of December 2004.

  
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PAUL KJELLANDER, PRESIDENT

**Out of the Office on this Date**  
\_\_\_\_\_  
MARSHA H. SMITH, COMMISSIONER

  
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DENNIS S. HANSEN, COMMISSIONER

ATTEST:

  
\_\_\_\_\_  
Jean D. Jewell  
Commission Secretary

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