

DONOVAN E. WALKER
DEPUTY ATTORNEY GENERAL
IDAHO PUBLIC UTILITIES COMMISSION
PO BOX 83720
BOISE, IDAHO 83720-0074
(208) 334-0357
IDAHO BAR NO. 5921

RECEIVED
FILED
2004 DEC 22 AM 10:29
IDAHO PUBLIC
UTILITIES COMMISSION

Street Address for Express Mail:
472 W. WASHINGTON
BOISE, ID 83702-5983

Attorney for the Commission Staff

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)
TO PROVIDE COMPETITIVE) COMMENTS OF THE
TELECOMMUNICATIONS SERVICES)) COMMISSION STAFF
WITHIN THE STATE OF IDAHO.)**

COMES NOW the Staff of the Idaho Public Utilities Commission, by and through its Attorney of record, Donovan E. Walker, Deputy Attorney General, in response to the Notice of Application, Notice of Modified Procedure and Notice of Comment/Protest Deadline issued in Order No. 29647 on December 1, 2004, and submits the following comments.

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.

STAFF ANALYSIS

Covad's Application proposes to provide basic resold and facilities-based local exchange services and resold interexchange services to both residential and business customers throughout Idaho in all exchanges not exempt from competition. The services that Covad intends to offer will be an adjunct to the long distance services that the Company has filed and requested authority to provide statewide. Covad plans to commence offering services immediately upon

the establishment of the appropriate and necessary network arrangements. On November 11, 1999, the Commission approved an Interconnection Agreement between Qwest Communications, Inc. and Covad.

Covad Communications Company is a wholly owned subsidiary of its parent corporation, Covad Communications Group, Inc., a telecommunications services business. Covad's sister company, DIECA Communications, Inc. is a certified Telecommunications service provider authorized to operate in several states.


The company is incorporated in the State of California and headquartered in San Jose, California. A Certificate of Authority to transact business as a foreign corporation from the Idaho Secretary of State was obtained on July 12, 2004.

Covad has provided financial sheets for quarters ending December 31, 2002 and 2003 and the appropriate contact information for its registered agent for service of process within Idaho.

STAFF RECOMMENDATIONS

Staff has reviewed the Application submitted by Covad Communications Company, and believes the Company understands and agrees to comply with the Commission rules and requirements. Based on this review, the Company's filing fulfills the requirements of the Commission Rules and Procedural Order No. 26665. The Staff believes that the Company possesses the requisite financial, managerial, and technical qualifications necessary to operate as a provider of telecommunications services. Therefore, the Staff recommends approval of the Application for a Certificate of Public Convenience and Necessity.

Respectfully submitted this *22nd* day of December 2004.


Donovan E. Walker
Deputy Attorney General

Technical Staff: Grace Seaman

i:umisc:comments/cvdt04.1dwgs

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 22ND DAY OF DECEMBER 2004, SERVED THE FOREGOING **COMMENTS OF THE COMMISSION STAFF**, IN CASE NO. CVD-T-04-1, BY MAILING A COPY THEREOF, POSTAGE PREPAID, TO THE FOLLOWING:

MONIQUE BYRNES
CONSULTANT
TECHNOLOGIES MANAGEMENT INC
PO BOX 200
WINTER PARK FL 32789

SECRETARY