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Attorney for the Commission Staff

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION OF)	
DIGITAL COMMUNICATIONS AKA DIGI-)	CASE NO. DZ1-T-06-1
COMM FOR A CERTIFICATE OF PUBLIC)	
CONVENIENCE AND NECESSITY TO)	
PROVIDE LOCAL EXCHANGE SERVICES)	COMMENTS OF THE
WITHIN THE STATE OF IDAHO)	COMMISSION STAFF
)	

The Staff of the Idaho Public Utilities Commission, by and through its Attorney of record, Cecelia A. Gassner, Deputy Attorney General, in response to the Notice of Application and Notice of Modified Procedure in Order No. 29982 issued on March 6, 2006, submits the following comments.

BACKGROUND

On February 1, 2006, Larry Cromwell filed an Application for a Certificate of Public Convenience and Necessity with the Commission for his business, Digital Communications a.k.a. Digi-Comm ("Digi-Comm"). In the Application, Digi-Comm proposes to provide dial-up and high-speed Internet access, dial tone, long distance, multiple customer convenience services and digital streaming television on a retail basis to business and residential consumers. The Company anticipates also providing monitored security and mobile Internet services to its customers.

Digital Communications a.k.a. Digi-Comm is a sole proprietorship with a principal place of business in Emmett, Idaho. The Company has provided certain financial information and the appropriate contact information for its registered agent for service of process within Idaho.

STAFF ANALYSIS

Staff has reviewed the information provided by Digi-Comm in its application and believes it satisfies the requirements of the Commission's Rule of Procedure 111, IDAPA 31.01.01.111, and Procedural Order No. 26665 issued November 7, 1996, which sets out the necessary information to be included with an application for a certificate.

The application indicated Digi-Comm will offer telecommunications services through its own facilities as well as resale and unbundled network element agreements with Qwest. Digi-Comm has been providing Internet services to Idaho customers for a number of years as Digi-Comm 256, LLC. Digi-Comm 256, LLC notified the Commission it was providing advance telecommunications services (high speed data lines) in 2004, and in 2005, notified the Commission of the change to sole proprietorship.

The principals at Digi-Comm have considerable telecommunications experience, especially in data and advanced communications. Staff finds the Company has sufficient technical expertise to provide the services identified in the application.

The application did not include significant financial information, which is not unusual for a new company. In its application, the Company claimed it had a funding commitment for \$500,000, to finance initial activities. While Staff is concerned about the financial capability of the Company, the identified financial resources, plus the Company's existing base of data customers, should be sufficient for initial operations, and allow the Company to slowly grow. Staff does not recommend the imposition of any financial guarantees.

Staff is satisfied that the Company has the technical, managerial and financial strength to provide the services identified in the application.

Digi-Comm specifically indicated in its application it will comply with all Commission rules. It has provided an illustrative tariff with its application that demonstrates an understanding of tariff requirements and processes.

STAFF RECOMMENDATION

Staff recommends that a Certificate of Public Convenience and Necessity to provide competitive local exchange service in Idaho be issued to Digi-Comm.

Respectfully submitted this 27th day of March 2006.



Cecelia A. Gassner
Deputy Attorney General

Technical Staff: Wayne Hart

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 27TH DAY OF MARCH 2006,
SERVED THE FOREGOING **COMMENTS OF THE COMMISSION STAFF**, IN
CASE NO. DZ1-T-06-01, BY MAILING A COPY THEREOF, POSTAGE PREPAID,
TO THE FOLLOWING:

DR LARRY E CROMWELL
DIGITAL COMMUNICATIONS
110 N WASHINGTON AVE
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SECRETARY