

## DECISION MEMORANDUM

**TO:** COMMISSIONER KJELLANDER  
COMMISSIONER SMITH  
COMMISSIONER REDFORD  
COMMISSION SECRETARY  
COMMISSION STAFF  
LEGAL

**FROM:** NEIL PRICE

**DATE:** JULY 25, 2007

**SUBJECT:** APPLICATION OF ELTOPIA COMMUNICATIONS, LLC FOR A  
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY; CASE  
NO. ECL-T-07-01

On June 6, 2007, Eltopia Communications, LLC (“Ektopia”) filed an Application for a Certificate of Public Convenience and Necessity to provide basic local exchange service throughout the State of Idaho pursuant to Commission Order No. 26665. Ektopia states that it has adopted the terms of the Interconnection Agreement between Northwest Telephone, Inc. and Verizon Northwest Inc. and that Verizon filed the adoption agreement in 2007. *Application* at 5.

### THE APPLICATION

Ektopia is a Washington corporation and lists its principal place of business as Ektopia, Washington. *Id.* at 2. The Company is registered with the Idaho Secretary of State as a limited liability company and lists Registered Agent Solutions, Inc., 5481 Kendall Street, Boise, Idaho, 83706, as its Idaho registered agent. *Id.*

Ektopia states that it has provided wholesale communications services within the State of Washington since 2006 and that the Company specializes in offering “a variety of services built on TDM to IP conversion,” including dial-up Internet, Fax over IP and Voice over IP, to regional Internet service providers. *Id.* Initially, the Company intends to offer the same services in Idaho and later expand to offer Voice over IP services to retail and business customers. *Id.*

Ektopia claims that its service territory within Idaho will initially include northern Idaho, including Boundary, Bonner, Kootenai, Benewah and Shoshone counties. *Id.* at 4. Its services will “coincide with that of Verizon Northwest, Inc’s Coeur d’Alene tandem,” with the

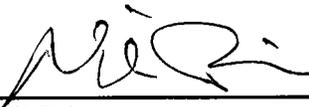
exception of its Voice over IP services which “do not have a defined ‘Service Territory’ as they are largely interstate services in nature.” *Id.* Thus, the Company asserts that it cannot accurately state whom it will compete with in regards to its Voice over IP services. *Id.*

**STAFF RECOMMENDATION**

Staff has reviewed Eltopia’s Application and recommends that it be processed by Modified Procedure.

**COMMISSION DECISION**

Should the Application of Eltopia for a Certificate of Public Convenience and Necessity be processed by Modified Procedure?

  
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Neil Price

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