

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF THE APPLICATION OF )**  
**ENTELEGENT SOLUTIONS, INC. FOR A ) CASE NO. ENT-T-09-01**  
**CERTIFICATE OF PUBLIC CONVENIENCE )**  
**AND NECESSITY TO PROVIDE LOCAL )**  
**EXCHANGE TELECOMMUNICATIONS ) ORDER NO. 30950**  
**SERVICES WITHIN THE STATE OF IDAHO )**  
**)**

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On July 2, 2009, Entelegent Solutions, Inc. (“Entelegent” or “Company”) filed an Application for a Certificate of Public Convenience and Necessity, pursuant to Title 62 of the Idaho Code and IDAPA 31.01.01.111, to provide resold and facilities-based local exchange telecommunications services and intrastate interexchange telecommunications services in Idaho. *Application* at 1.

On October 8, 2009, the Commission issued a Notice of Application and Notice of Modified Procedure. *See* Order No. 30915. Subsequently, Commission Staff was the only party to submit written comments within the established 21-day comment period.

**THE APPLICATION**

Entelegent is a North Carolina corporation and lists its principal place of business as Charlotte, North Carolina. *Id.* at 2. Entelegent is registered with the Idaho Secretary of State as a foreign limited liability company and lists Corporation Service Company, 1401 Shoreline Drive, Suite 2, Boise, Idaho 83702, as its Idaho registered agent for service. *Id.* Entelegent has received authority to provide local and/or interexchange services in the following states: Alabama, Illinois, Kentucky, Massachusetts, Montana, Nebraska, New Hampshire, New Jersey, North Dakota, Ohio, Oregon, Rhode Island, South Dakota, Texas, Vermont, Washington, Wisconsin, Colorado, Florida, Iowa, Michigan, New Mexico, and Wyoming. *Id.* at 3.

Entelegent requests “authority to provide basic resold and facilities-based local exchange services throughout the state of Idaho. . . .” *Id.* at 1. Specifically, Entelegent proposes to offer these telecommunications services to “business customers.” *Id.* The Company “plans to offer service through UNE-P facilities and resale arrangements with incumbent local exchange carriers (“ILECs”).” *Id.* Entelegent explains that operated-assisted and 911 emergency call services will be routed to and handled by the Company’s underlying carrier. *Id.*

As a UNE-P competitive local exchange carrier ("CLEC"), Enteleger will not construct any facilities within the State of Idaho or incur any additional capital expenditures in order to provide service within the state. *Id.* at 4. The Company will offer service in the geographic areas within Idaho that are currently being served by ILEC Qwest Corporation. *Id.* at 5. Enteleger states that it has reviewed the Commission rules applicable to CLECs and interexchange service providers operating in the State of Idaho and "agrees to comply with those rules except to the extent [that] any such rules are explicitly waived generically for carriers in the same class." *Id.* at 6.

### **STAFF COMMENTS**

Staff reviewed Enteleger's Application and determined that the Company has complied with the requirements of Procedural Order No. 26665 and IDAPA 31.01.01.111 (Commission Procedural Rule 111). Staff believes that Enteleger possesses the requisite financial, managerial, and technical qualifications necessary to operate as a telecommunications provider within the State of Idaho. *See* Staff Comments at 2.

Based upon its review, Staff recommends that the Company be granted a CPCN subject to the following conditions: (1) compliance with the Number Pool Administrator and Order No. 30425 mandating number resource utilization forecast (NRUF) reporting; (2) contribution to the Idaho Universal Service Fund, Idaho Telecommunications Relay System (TRS), Idaho Telephone Assistance Program (ITSAP) and any future reporting requirements deemed appropriate for competitive telecommunication providers; (3) filing a final and complete price list with the Commission containing all of its rates, terms and conditions; and (4) an agreement from the Company to relinquish its certificate and any telephone numbers if, within one year of the issuance of a CPCN, the Company is not offering local exchange telecommunications services in Idaho. *Id.* at 2-3.

### **COMMISSION FINDINGS**

Based upon our review of Enteleger's Application and the record in this case, including Staff's comments, the Commission finds that Enteleger's filing satisfies the requirements of the Commission's Rules and Procedural Order No. 26665. Subject to the conditions detailed in Staff's submitted comments, we approve Enteleger's Application for a Certificate of Public Convenience and Necessity to enable the Company to provide local exchange telecommunications services in the State of Idaho.

## ORDER

IT IS HEREBY ORDERED that the Application of Entelegent Solutions, Inc. for a Certificate of Public Convenience and Necessity is granted to enable the Company to provide local exchange telecommunications services and intrastate interexchange telecommunications services within the State of Idaho.


IT IS FURTHER ORDERED that the Company's Certificate of Public Convenience and Necessity shall be subject to the following conditions: (1) compliance with the Number Pool Administrator and Order No. 30425 mandating number resource utilization forecast (NRUF) reporting; (2) contribution to the Idaho Universal Service Fund, Idaho Telecommunications Relay System (TRS), Idaho Telephone Assistance Program (ITSAP) and any future reporting requirements deemed appropriate for competitive telecommunication providers; (3) filing a final and complete price list with the Commission containing all of its rates, terms and conditions; and (4) an agreement from the Company to relinquish its certificate and any telephone numbers if, within one year of the issuance of a CPCN, the Company is not offering local exchange telecommunications services in Idaho..

THIS IS A FINAL ORDER. Any person interested in the Order may petition for reconsideration within twenty-one (21) days of the service date of this Order with regard to any matter decided in this Order. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. *See Idaho Code § 61-626.*

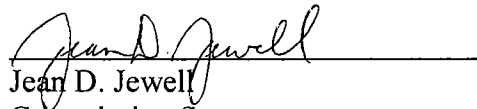
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 24<sup>th</sup>  
day of November 2009.

  
JIM D. KEMPTON, PRESIDENT

  
MARSHA H. SMITH, COMMISSIONER

  
MACK A. REDFORD, COMMISSIONER

ATTEST:

  
Jean D. Jewell  
Commission Secretary

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