

DECISION MEMORANDUM

TO: COMMISSIONER KJELLANDER
COMMISSIONER SMITH
COMMISSIONER HANSEN
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL

FROM: KIRA DALE PFISTERER

DATE: JULY 5, 2005

RE: APPLICATION OF ERNEST COMMUNICATIONS, INC. FOR A
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO
PROVIDE RESOLD LOCAL EXCHANGE TELECOMMUNICATIONS
SERVICES. CASE NO. ERN-T-05-1.

On March 14, 2005, Ernest Communications, Inc. ("Ernest" or the "Company") filed an Application for a Certificate of Public Convenience and Necessity to provide resold local exchange services throughout the State of Idaho. The Company amended its Application with several replacement pages filed with the Commission on April 29, 2005.

On June 8, 2005, the Commission solicited comments regarding Ernest's Application. *See* Order No. 29796. No comments were received other than those submitted by Commission Staff.

THE APPLICATION

Ernest plans to offer local exchange services to residential and business customers through the purchase of unbundled network element platform (UNE-P) or its equivalent through interconnection agreements with the incumbent local exchange carrier, Qwest. Initially, Ernest plans to provide basic local service, PBX trunk service, Direct Inward Dialing, and listing services.

Ernest is a Georgia corporation authorized by the Idaho Secretary of State to transact business within the State of Idaho. Ernest currently provides service in 21 states, including Alabama, Arizona, California, Colorado, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Missouri, New Jersey, New York, North Carolina, Oklahoma, Oregon, South Carolina, Tennessee, Texas, Virginia, and Washington.

STAFF COMMENTS

In its evaluation of Ernest's Application, Staff determined the Company's filing complies with the requirements of the Commission. *See* Procedural Order No. 26665; IDAPA 31.01.01.111 and 112 (Rules 111 and 112). Staff believes that the Company understands and agrees to comply with the Commission rules and requirements. Staff further believes that the Company possesses the requisite financial, managerial, and technical qualifications necessary to operate as a provider of telecommunications services. Therefore, based on its review of the Application, Commission Staff recommends approval of the Application for a Certificate.

COMMISSION DECISION

Does the Commission wish to approve Ernest's Application for a Certificate of Public Convenience and Necessity to provide resold local exchange services throughout the State of Idaho?



Kira Dale Pfisterer

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