

DECISION MEMORANDUM

TO: COMMISSIONER SMITH
COMMISSIONER REDFORD
COMMISSIONER KEMPTON
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL

FROM: NEIL PRICE

DATE: OCTOBER 16, 2007

SUBJECT: APPLICATION OF GLOBAL CAPACITY GROUP, INC. FOR A
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY; CASE
NO. GCG -T-07-01.

On July 13, 2007, Global Capacity Group, Inc. (“Global”) filed an Application for a Certificate of Public Convenience and Necessity to provide facilities-based and resold local exchange telecommunications services within the State of Idaho pursuant to Commission Order No. 26665. Thereafter, the Commission set apart October 4, 2007 as the deadline for comments regarding Global’s Application. *See* Order No. 30428. No comments were received other than those submitted by Commission Staff.

THE APPLICATION

Global states that it will provide all forms of intrastate local exchange and interexchange telecommunications services. *Application* at 4. It will provide these services by utilizing the facilities of incumbent local exchange carriers (“ILECs”) already operating within the State of Idaho, including: Qwest North, Qwest South, and Verizon. *Id.* Global has no current plans to install its own facilities in Idaho. *Id.* Global claims that it intends to offer its services throughout the State of Idaho, with the exception of those areas currently being serviced by a local exchange carrier “[“LECs”] which are eligible for a small or rural carrier exemption pursuant to Section 251 of the Federal Telecom Act of 1996.” *Id.* at 5.

Global is a Texas corporation and lists its principal place of business as Houston, Texas. *Id.* at 1. The Company is registered with the Idaho Secretary of State as a limited liability company and lists National Registered Agents, Inc., 1423 Tyrell Lane, Boise, Idaho, 83706, as its Idaho registered agent for service. *Id.* at 2.

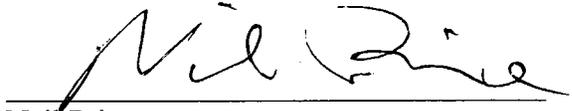
STAFF COMMENTS

Staff reviewed Global's Application and determined that the Company has complied with the requirements of Procedural Order No. 26665 and IDAPA 31.01.01.111 and 112 (Rules 111 and 112). Staff believes the Company possesses the requisite financial, managerial, and technical qualifications necessary to effectively operate as a telecommunications provider within the State of Idaho. Staff also believes that the Company's illustrative price list comports with the Commission's Rules and Order No. 26665. Staff notes further that the Company does not anticipate collecting deposits and that the Company has requested a waiver of the escrow account requirement found in Order No. 26665. Based upon its review, Staff recommends that the Commission approve Global's Application for a Certificate of Public Convenience and Necessity and waive the escrow account requirement until the Company begins to collect deposits.

COMMISSION DECISION

Does the Commission wish to approve Global Capacity Group, Inc.'s Application for a Certificate of Public Convenience and Necessity to provide facilities-based and resold local exchange telecommunications services within the State of Idaho?

Does the Commission wish to waive the escrow account requirement until the Company begins to collect deposits?


Neil Price

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