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Attorney for the Commission Staff

## BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION OF )	
GEILS COMMUNICATIONS, INC. FOR A )	CASE NO. GEI-T-11-01
CERTIFICATE OF PUBLIC CONVENIENCE )	
AND NECESSITY )	COMMENTS OF THE
)	COMMISSION STAFF
)	

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The Staff of the Idaho Public Utilities Commission, by and through its Attorney of Record, Neil Price, Deputy Attorney General, in response to the Notice of Application and Notice of Modified Procedure, issued on December 2, 2011, Order No. 32407, submits the following comments.

### BACKGROUND

On November 7, 2011, Geils Communications, Inc. ("Geils" or "Company") filed a Revised Application, including a copy of its illustrative tariff and price list, seeking a Certificate of Public Convenience and Necessity ("CPCN"), pursuant to *Idaho Code* §§ 61-526 through - 528<sup>1</sup>, IDAPA 31.01.01.111 (Rule 111), and Procedural Order No. 26665, in order to provide competitive local exchange and interexchange services in Idaho.

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<sup>1</sup> Pursuant to the Idaho Telecommunications Act of 1988, specifically Idaho Code § 62-604(1)(a), Geils is exempt from Title 61 regulation.

Geils is a Nevada corporation and lists its principal place of business as Hellertown, Pennsylvania. Geils is a wholly owned subsidiary of Geils & Co., LLC, a Florida limited liability company. Geils is registered with the Idaho Secretary of State as a foreign corporation.

The Company proposes to offer local and long distance telecommunications service to residential and business customers.

Geils does not plan on constructing new facilities in Idaho. The Company intends to utilize the underlying network and facilities of Qwest Corporation dba CenturyLink QC ("CenturyLink"). Geils has initiated talks with CenturyLink in order to obtain an interconnection agreement in Idaho. Geils intends to resell the services of CenturyLink.

Geils' proposed service territory will include all areas in Idaho wherein CenturyLink is currently offering telecommunications services.

#### **STAFF ANALYSIS**

Geils states that it has reviewed and will comply with all Commission's rules. The Company also indicated that it will not collect advanced payments or deposits, therefore the Company asks that the Escrow Account or Security Bond requirement be waived.

The Company proposes to operate as a local and long distance telecommunications reseller utilizing the underlying network of Qwest Corporation dba CenturyLink QC. The company states that its services will be offered to residential and business customers.

#### **STAFF RECOMMENDATION**

Staff has reviewed the Application of Geils for compliance with applicable legal requirements for acquiring a CPCN, including the Commission's Procedural Order No. 26665 that sets forth the information that must be included in an application.<sup>2</sup> Staff believes that the Company possesses the requisite financial, managerial, and technical qualifications necessary to operate as a provider of telecommunications services. Staff, therefore, recommends Commission approval of the Application for a Certificate of Public Convenience and Necessity subject to the following conditions:

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<sup>2</sup> The application requirements are now contained in Commission Rule of Procedure 114, IDAPA 31.01.01.114.

1. The Company complies with number pooling and reporting requirements of the North American Numbering Plan Administrator, as set forth in Commission Order No. 30425;
2. Geils provides necessary reports and contributes as appropriate to the Idaho Universal Service Fund, Idaho Telecommunications Relay System, Idaho Telecommunications Service Assistance Program, and complies with all future reporting requirements deemed appropriate by the Commission for competitive telecommunication providers;
3. Geils shall relinquish its Certificate and all telephone numbers if, within one year of issuance of a CPCN, the Company is not providing local exchange telecommunications services in Idaho.

Respectfully submitted this 21 day of December 2011.



Neil Price  
Deputy Attorney General

Technical Staff: Carolee Hall

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## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY THAT I HAVE THIS 21<sup>ST</sup> DAY OF DECEMBER 2011, SERVED THE FOREGOING **COMMENTS OF THE COMMISSION STAFF**, IN CASE NO. GEI-T-11-01, BY MAILING A COPY THEREOF, POSTAGE PREPAID, TO THE FOLLOWING:

WESLY MINELLA, PRESIDENT  
GEILS COMMUNICATIONS, INC.  
1866 LEITHSVILLE ROAD #301  
HELLERTOWN, PA 18055

  
\_\_\_\_\_  
SECRETARY

CERTIFICATE OF SERVICE