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## **BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

<b>IN THE MATTER OF THE APPLICATION OF</b>	)	
<b>GREENFLY NETWORKS, INC. FOR A</b>	)	<b>CASE NO. GFN-T-09-01</b>
<b>CERTIFICATE OF PUBLIC CONVENIENCE</b>	)	
<b>AND NECESSITY TO PROVIDE LOCAL</b>	)	<b>COMMENTS OF THE</b>
<b>EXCHANGE TELECOMMUNICATIONS</b>	)	<b>COMMISSION STAFF</b>
<b>SERVICES.</b>	)	

The Staff of the Idaho Public Utilities Commission, by and through its attorney of record, Kristine A. Sasser, Deputy Attorney General, in response to the Notice of Application and Notice of Modified Procedure (Order No. 30946) submits the following comments.

### **BACKGROUND AND STAFF ANALYSIS**

On September 11, 2009, Greenfly Networks, Inc. dba Clearfly Communications filed an Application for a Certificate of Public Convenience and Necessity (CPCN) to provide voice telecommunications services to businesses in the State of Idaho. The Application states that the Company intends to act as both a reseller of services and as a facilities-based provider in select markets. Following an initial review, Staff notified the Company of necessary corrections that were needed before any further processing could take place. On October 28, 2009, the Company promptly responded to Staff's concerns and filed its corrections as requested.

The Company intends to offer local and long-distance VoIP service, inbound toll-free service, Internet access, network management, and corporate WAN services. The Company maintains that it will compete with both incumbent and competitive local exchange carriers.

This Commission approved an Interconnection Agreement between the Company and Qwest on February, 18, 2009. See Order No. 30730.

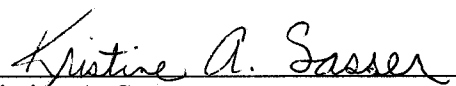
Greenfly Networks is incorporated under the laws of Nevada and has been issued a Certificate of Authority to transact business in the State of Idaho. The Company identifies National Registered Agents, Inc., as its registered agent for service of process.

In its Application the Company expressly states that it has reviewed the Commission rules and agrees to comply with them.

#### STAFF RECOMMENDATION

1. Staff recommends that Greenfly Networks Inc. dba Clearfly Communications be granted a CPCN subject to the following conditions:
  - a. The granting of this Certificate will be conditioned upon the Company complying with the Number Pool Administrator and Idaho Commission Order No. 30425, which requires NRUF and Utilization reporting.
  - b. As a provider of intrastate regulated local exchange services and in accordance with the Commission's Rules of Procedure, Clearfly will be required to report and contribute, as appropriate, to the Idaho Universal Service Fund, Idaho Telecommunications Relay System, ITSAP and any requisite annual reporting that may be deemed appropriate in the future for competitive telecommunication providers.
  - c. Upon approval of this Application, Clearfly will issue a final price list under Case No. GFN-T-09-01, at which time a certificate will be issued; and
  - d. The Company agrees that it will relinquish its certificate and any telephone numbers if it is not doing business within one year of its issuance of a CPCN.

Respectfully submitted this 8<sup>TH</sup> day of December 2009.

  
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Kristine A. Sasser  
Deputy Attorney General

Technical Staff: Carolee Hall

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## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY THAT I HAVE THIS 8<sup>TH</sup> DAY OF DECEMBER 2009, SERVED THE FOREGOING **COMMENTS OF THE COMMISSION STAFF**, IN CASE NO. GFN-T-09-01, BY MAILING A COPY THEREOF, POSTAGE PREPAID, TO THE FOLLOWING:

TIM DODGE  
CHIEF OPERATING OFFICER  
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\_\_\_\_\_  
SECRETARY

CERTIFICATE OF SERVICE