

## DECISION MEMORANDUM

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

**FROM:** JOHN HAMMOND

**DATE:** APRIL 4, 2003

**SUBJECT:** IN THE MATTER OF THE APPLICATION OF TEL WEST COMMUNICATIONS LLC TO OBTAIN ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, CASE NO. GNR-T-01-18.

On December 6, 2001, the Commission granted TelWest Communications LLC a Certificate of Public Convenience and Necessity to provide resold local exchange services throughout Idaho. *See* Order No. 28909. However, the Commission found that the Certificate would only be issued upon Tel West providing evidence of establishment of a \$20,000 performance bond. *Id.* To this date, Tel West has not provided evidence to the Commission that it has posted a \$20,000 performance bond. On March 10, 2003, Tel West filed an Application with the Commission demonstrating that it had established a commercial escrow account at the Asia Europe Americas Bank for the purpose of protecting customer advance payments. The Company has attached to its Application a photocopy of a bank statement demonstrating establishment of the account along with a photocopy of the initial deposit slip. Tel West requests that the Commission accept the commercial escrow account in lieu of requiring the Company to post a performance bond. Upon acceptance of this account Tel West requests that the Commission issue the Company its CPCN.

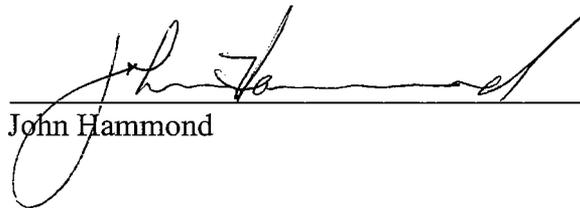
### STAFF RECOMMENDATION

Staff recommends that the Commission reopen this case to consider the Company's Application. Staff has reviewed and analyzed Tel West's Application and recommends that the Commission establishment of the commercial escrow account as a means by which to protect the

Company's customers. Upon this acceptance the Staff recommends that the Commission issue Tel West its CPCN.

**Commission Decision**

Does the Commission wish to reopen this case? Does the Commission wish to approve Tel West's Application and issue the Company's Certificate of Public Convenience and Necessity?



John Hammond

bls/M:GNRT0118\_jh

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# Taylor Telecom Consulting Service

2003 MAR 10 PM 3: 16



IDAHO PUBLIC UTILITIES COMMISSION  
March 10, 2003

VIA U.S. MAIL

*John - for your follow up*

Ms. Jean Jewel  
Commission Secretary  
Idaho Public Utilities Commission  
PO Box 83720  
Boise, ID 83720-0074

## LETTER OF TRANSMITTAL

Dear Ms. Jewel:

Tel West Communications, LLC ("Tel West") hereby submits the original and three (3) copies of its initial Price List No. 1, as required by the Commission in Order No. 28909 in Case No. GNR-T-01-18. In addition, Tel West also hereby submits additional documents in response to the Commission's requirement that Tel West provide evidence of establishment of a performance bond to protect customer pre-payments. In lieu of a performance bond, as permitted under Idaho Order No. 26665, Tel West has established a commercial escrow account to achieve the same purpose of protecting customer advance payments. Enclosed is a photo-copy of a bank statement demonstrating establishment of the account, along with a photo-copy of the initial deposit slip. As required under Order No. 26665, Tel West will submit quarterly reports to the Commission showing any deposits or disbursements from the account.

I would appreciate acknowledgement of receipt of this filing. A copy of this Letter of Transmittal, along with a stamped, self-addressed envelope is enclosed for this purpose.

Please contact me with any questions pertaining to this matter.

Sincerely,

*Donald O. Taylor*  
Donald O. Taylor  
Regulatory Compliance Consultant

Enclosures

cc: Tel West



1505 Westlake Avenue North, Suite 125  
 Seattle, WA 98109 U.S.A.  
 Tel 206.282.4000  
 Fax 206.282.4203

DATE: 02/28/03

PAGE: 1  
 ACCOUNT: 1007020439  
 DOCUMENTS: 0

TEL WEST IDAHO  
 CUSTOMER ESCROW ACCOUNT  
 PO BOX 94447  
 SEATTLE WA 98124

30  
 0  
 0

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BUSINESS MONEY MKT ACCOUNT 1007020439

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MINIMUM BALANCE	.00	LAST STATEMENT 02/19/03	.00
AVG AVAILABLE BALANCE	.00	CREDITS	.00
AVERAGE BALANCE	.00	DEBITS	.00
		THIS STATEMENT 02/28/03	.00

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