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IDAHO PUBLIC  
UTILITIES COMMISSION

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Attorney for the Commission Staff

## BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION OF )  
IDAHO BIG SKY TELECOM FOR A ) CASE NO. GNR-T-03-15  
CERTIFICATE OF PUBLIC CONVENIENCE )  
AND NECESSITY TO PROVIDE LOCAL ) SUPPLEMENTAL  
EXCHANGE TELECOMMUNICATIONS ) COMMENTS OF THE  
SERVICES. ) COMMISSION STAFF  
\_\_\_\_\_ )

**COMES NOW** the Staff of the Idaho Public Utilities Commission, by and through its attorney of record, Donald L. Howell, II, Deputy Attorney General, and submits the following supplemental comments in Case GNR-T-03-15.

### BACKGROUND

On April 25, 2003, Idaho Big Sky Telecom (IBST), a partnership, filed an Application for a Certificate of Public Convenience and Necessity to provide local, long-distance, cellular and Internet services within the State of Idaho. The Commission issued Order No. 29319 on August 20, 2003, providing notice of the Application and soliciting comments. On September 11, 2003, Staff filed comments expressing concerns about the technical and financial capabilities of IBST and recommending denial of the Application. Staff also indicated the Company had requested an opportunity to provide additional information to address Staff's

concerns. The Company provided resumes for key individuals, but the promised financial data was never provided.

While waiting for this additional information, Staff became aware of an investigation by the Idaho Department of Finance into allegations of violations of Idaho's securities regulations by Idaho Big Sky Telecom and an affiliate, Big West Telecom. Because of the seriousness of these allegations, Staff delayed further consideration of the Application until the Department of Finance completed its investigation.

In June of 2004, the Department of Finance filed a civil suit alleging that Idaho Big Sky Telecom had defrauded investors, claiming that the losses sustained by Idaho investors exceeded \$100,000. In March 2005, a default judgment was issued in the Fourth District Court against Idaho Big Sky Telecom, Big West Telecom and 4 individuals associated with both firms.

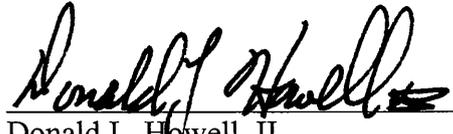
Staff attempted to reach IBST, but the telephone numbers identified in the Application were either disconnected or not answered. E-mails were returned as undeliverable.

On July 18, 2005, Staff sent a letter by Certified Mail to Idaho Big Sky Telecom at the address identified in the Application indicating Staff intended to recommend denial based upon the Judgment obtained by the Department of Finance. The letter invited IBST to submit further comments by August 8, 2005. The letter was delivered on July 22, 2005, and the signature appears to be "Dottie Greenhouse". This name is not contained in any of the information provided by the Company. However, as of August 11, 2005, the Company has provided no further information.

#### **STAFF RECOMMENDATION**

Based upon the default judgment and the lack of response from the Company, Staff recommends that the Application of Idaho Big Sky Telecom be denied.

Respectfully submitted this <sup>12<sup>th</sup></sup> day of August 2005.

  
Donald L. Howell, II  
Deputy Attorney General

Technical Staff: Wayne Hart

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SUPPLEMENTAL  
STAFF COMMENTS

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 12TH DAY OF AUGUST 2005, SERVED THE FOREGOING **COMMENTS OF THE COMMISSION STAFF**, IN CASE NO. GNR-T-03-15, BY MAILING A COPY THEREOF, POSTAGE PREPAID, TO THE FOLLOWING:

IDAHO BIG SKY TELECOM  
310 NE 1<sup>ST</sup> AVENUE  
HALLANDALE FL 33009

GERALD LAMBERT  
PRESIDENT  
BIG SKY TELECOM, INC.  
128 E. MAIN STREET  
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Angela D. Koch  
SECRETARY