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IDAHO PUBLIC  
UTILITIES COMMISSION

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Attorneys for Citizens Telecommunications  
Company of Idaho, Potlatch Telephone Company,  
CenturyTel of Idaho, and CenturyTel of the Gem State

**BEFORE THE IDAHO PUBLIC SERVICE COMMISSION**

IN THE MATTER OF THE PETITION OF IAT  
COMMUNICATIONS, INC., d.b.a. NTCH-  
IDAHO, INC. OR CLEAR TALK FOR  
DESIGNATION AS AN ELIGIBLE  
TELECOMMUNICATIONS CARRIER

Case No. GNR-T-03-8

IN THE MATTER OF THE APPLICATION  
OF NPCR, INC. DBA NEXTEL PARTNERS  
SEEKING DESIGNATION AS AN ELIGIBLE  
TELECOMMUNICATIONS CARRIER

Case No. GNR-T-03-16

**PROTESTS, COMMENTS, AND MOTION  
FOR STAY**

COME NOW Citizens Telecommunications Company of Idaho (“Intervenor”) and  
Potlatch Telephone Company, CenturyTel of Idaho, and CenturyTel of the Gem State  
 (“Protestants”) and file these Protests, Comments, and Motion to Stay in response to the  
Applications of IAT Communications, Inc. (“Clear Talk”) and NPCR, Inc. (“Nextel”) and in

response to the "Protest of Idaho Telephone Association" relating to these applications. Intervenor and Protestants are all rural telephone companies authorized by the Idaho Public Utilities Commission ("Commission") to serve rural areas in Idaho. Protestants' service territories have not been designated by Clear Talk or Nextel as part of their current applications and, as a consequence, Protestants have not formally intervened in the cases. Nonetheless, any precedent established by the Commission with regard to these ETC applications will affect Intervenor and Protestants in the future. Pursuant to IDAPA Rules 203 and 324 of the Commissions' Rules of Procedure and in response to Commission Order No. 29240, the Intervenor and Protestants request a stay in the above-entitled proceedings until such time as the Federal Communications Commission has issued its ruling in Docket No. 96-45. Comments in this case were filed by affected parties on May 5, 2003, and June 3, 2003. A decision by the FCC is anticipated towards the end of 2003 or the beginning of 2004.

Intervenor and Protestants believe that failure to wait for the FCC decision may lead to a number of problems. For example, competitors requesting ETC status in Idaho might end up being judged by two entirely different sets of criteria--the existing test now and a different test after the FCC issues its order. This could result in an unfair advantage as to one or more CETCs and/or a disadvantage as to one or more ILECs. In addition, the amount of any potential support may change thereby affecting a decision to apply or withdraw. From the standpoint of efficiency and cost, changes at the FCC level may even make the Idaho proceeding unnecessary.

If for some reason the Idaho Commission decides not to stay the current proceedings, Intervenor and Protestants concur with the request by the Idaho Telephone Association ("ITA") for a full evidentiary hearing. At this point, the record appears inadequate to

make an informed decision and Intervenor and Protestants would be aided in filing written comments following such a hearing by the development of a record.

WHEREFORE, Intervenor and Protestants request that the above entitled cases and Order No. 29240 be stayed pending the issuance of a ruling by the FCC in Docket No. 96-45. In the alternative, Intervenor and Protestants concur in the ITA's request for a full evidentiary hearing.

Respectfully submitted this 16th day of June, 2003.

MOFFATT, THOMAS, BARRETT, ROCK &  
FIELDS, CHARTERED

By Morgan W. Richards  
Morgan W. Richards - Of the Firm  
Attorneys for Citizens Telecommunications  
Company of Idaho, Potlatch Telephone  
Company, CenturyTel of Idaho, and CenturyTel  
of the Gem State

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 16<sup>th</sup> day of June, 2003, I caused a true and correct copy of the foregoing **PROTESTS, COMMENTS, AND MOTION TO STAY** to be served by the method indicated below, and addressed to the following:

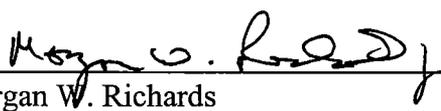
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