

## DECISION MEMORANDUM

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

**FROM: WELDON STUTZMAN**

**DATE: MAY 6, 2004**

**RE: CASE NO. GNR-T-03-26  
APPLICATION OF VERIZON AVENUE CORP FOR A CERTIFICATE OF  
PUBLIC CONVENIENCE AND NECESSITY**

On August 15, 2003, Verizon Avenue Corporation filed an Application for a Certificate of Public Convenience and Necessity to provide facilities-based and resold competitive local exchange and interexchange telecommunication services. Verizon Avenue is a wholly-owned subsidiary of Verizon Communications, Inc. Verizon Avenue intends to offer local exchange service and local toll service by reselling services obtained through existing local exchange carriers, other than Verizon Northwest, Inc. The Company's Application states it does not intend to offer competitive local exchange, local toll or interLATA toll telephone services within the service territory of Verizon Northwest.

On March 30, 2004, the Commission issued a Notice of Application and Notice of Modified Procedure to process Verizon Avenue's Application. Staff filed written comments confirming that the Company had filed illustrative tariffs to comply with the Commission's rules and Idaho statutes. Staff recommended approval of Verizon Avenue's Application. Written comments were also filed by the Idaho Telephone Association. ITA noted that Verizon Avenue has not made a bona fide request to any ITA member for interconnection, services or network elements. ITA recommended that a grant of Certificate authority to Verizon Avenue be made subject to the exemption of ITA members from the obligations of incumbent local exchange carriers under Section 251(c) of the 1996 telecommunications act.

Staff recommends that the Application of Verizon Avenue for a Certificate of Public Convenience and Necessity be approved and that the Commission's Order note that rural telephone carriers may be exempt from the obligations of incumbent local exchange carriers pursuant to Section 251(c) of the telecommunications act.

**COMMISSION DECISION**

Should the Application of Verizon Avenue for a Certificate of Public Convenience and Necessity be approved?



Weldon Stutzman

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