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IDAHO PUBLIC  
UTILITIES COMMISSION

Attorneys for AT&T Communications of the Mountain States, Inc.

## BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF AN INVESTIGATION )**  
**OF AN APPROPRIATE CERTIFICATION )** CASE NO. GNR- T-11-01  
**PROCESS FOR TELECOMMUNICATIONS )**  
**COMPANIES THAT DO NOT PROVIDE )** REPLY COMMENTS OF AT&T  
**BASIC LOCAL EXCHANGE SERVICE )** COMMUNICATIONS OF THE  
**)** MOUNTAIN STATES, INC.

AT&T Communications of the Mountain States, Inc., on behalf of itself and its affiliates, ("AT&T") hereby files its reply comments in the above-captioned proceeding before the Idaho Public Utilities Commission ("Commission"). AT&T appreciates the Commission's willingness to undertake this investigation and to address the appropriate process for companies that do not provide basic local exchange service.

AT&T is sympathetic to the concerns raised by Time Warner Cable Information Services (Idaho), LLC ("TWCIS") regarding the practical difficulties encountered by a non-basic local exchange service provider in Idaho; specifically, obtaining numbering resources and interconnection agreements without a Certificate of Public Convenience and Necessity ("CPCN"). Further, AT&T agrees with TWCIS that the Commission should have a mechanism in place to facilitate the practical "ability of such providers to enter the Idaho market."<sup>1</sup>

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<sup>1</sup> Comments of Time Warner Cable Information Services (Idaho), LLC, page 6.

Indeed, at a high level, most commenters seem to agree that the Commission should have a process in place to provide written documentation demonstrating that a provider that does not offer basic local exchange service is nevertheless “authorized” to enter the local market in Idaho as this would allow the provider to more easily obtain access to numbering resources<sup>2</sup> and interconnection agreements. Commenters, however, have various suggestions on what the written documentation from the Commission should entail, including an Order in Lieu of a Certificate<sup>3</sup> or some other form of CPCN for providers of non-basic local exchange service.<sup>4</sup> In its opening comments, AT&T suggested that a non-basic local exchange service provider register with the Commission and receive a registration number.<sup>5</sup> The registration number would demonstrate that the non-basic local exchange service provider is authorized to offer service in the state. This process would also be consistent with the intent of the legislature to remove needlessly burdensome CPCN requirements from certain providers, while at the same time facilitating the practical difficulties these non-basic local exchange providers face in obtaining numbering resources and interconnection agreement.

If the Commission determines that the registration process outlined by AT&T is not sufficient, AT&T does not oppose the use of an Order in Lieu of Certificate for providers of non-basic local exchange service. However, to be consistent with the intent of the legislature to remove needlessly burdensome CPCN requirements, providers of non-basic local exchange service that seek an Order in Lieu of Certificate should not have to provide as detailed of information as those providers that require a CPCN. Further, the Commission should specify in advance the precise information that is required for an

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<sup>2</sup> 47 C.F.R. §52.15(g)(2) requires that applications for initial number resources include, among other things, evidence that the “applicant is authorized to provide service in the area for which numbering resources are being requested.”

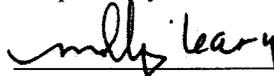
<sup>3</sup> See Comments of Staff, Comments of 360Networks (USA) Inc., page 2-3, and Comments of Time Warner Cable Information Services (Idaho), LLC, page 7.

<sup>4</sup> The concerns raised by Qwest Communications Company LLC (“QCC”) seem to mostly involve an issue of timing (when basic local exchange service will be provided); as such, AT&T has not attempted to address QCC’s concerns.

<sup>5</sup> See Comments of AT&T, page 1.

Order in Lieu of Certificate so providers know in advance what information must be provided and the Order in Lieu of Certificate can be granted expeditiously.

Respectfully submitted:



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