DECISION MEMORANDUM

TO: COMMISSIONER KJELLANDER
COMMISSIONER SMITH
COMMISSIONER RAPER
COMMISSION SECRETARY
LEGAL
WORKING FILE

FROM: GRACE SEAMAN

DATE: OCTOBER 16, 2015

RE: THE 2014 BROADBAND EQUIPMENT TAX CREDIT APPLICATION FOR IDAHO RSA 3 LIMITED PARTNERSHIP, AN OPERATING ENTITY OF THE VERIZON WIRELESS BUSINESS DIVISION; CASE NO. GNR-T-15-12.

BACKGROUND

In 2001, House Bill 377 was enacted authorizing income tax credit for the installation of qualifying broadband infrastructure in Idaho. *Idaho Code* § 63-3029B(3)(a)(ii). In particular, Section 63-3029I allows a taxpayer to receive an investment tax credit for eligible broadband equipment installed during a calendar year.

"Qualified broadband equipment" is defined as those network facilities capable of transmitting signals at a rate of at least 200,000 bits per seconds (bps) to a subscriber and at least 125,000 bps from a subscriber. *Idaho Code* § 63-3029I(3)(b). If the equipment is installed by a telecommunications carrier, it must also be "necessary to the provision of broadband services and an integral part of a broadband network." *Idaho Code* § 63-3029I(3)(b)(i). To be eligible for the tax credit, the taxpayer must obtain from the Commission an Order confirming that the installed equipment meets the statutory definition of qualified broadband equipment. Procedural Order No. 28784 and *Idaho Code* § 63-3029I(4). Once the Commission has determined the installed equipment is eligible for the broadband equipment tax credit, an order along with the original Application is forwarded to the Idaho Tax Commission.

THE APPLICATION

On September 17, 2015, the Commission received an Application from Idaho RSA 3 Limited Partnership, an operating entity of the Verizon Wireless business division ("Verizon" or "Company"), seeking approval of equipment for the broadband tax credit installed during calendar year 2014. In the Application, Verizon states that it installed equipment associated with "CMDA2000 (Code Division Multiple Access) technologies to support LTE [Sonet Light Terminating Equipment] for 4G [4th Generation Mobile System] voice and broadband data, in addition to three other generations of CDMA-based cellular network technologies." Verizon affirms that its broadband network has data transmission rates between 300 Kbps and 3 Mbps for subscriber downloads and uploads, which exceeds the required rates of 200,000 bits per second to a subscriber and 125,000 bits per second from a subscriber. The Company asserts that 100% of its Idaho subscribers have access to the broadband network. During 2014, the Company invested approximately $76,000 in qualifying broadband equipment.

STAFF REVIEW AND RECOMMENDATION

Staff has reviewed the list of proposed broadband equipment submitted by Verizon and believes the identified equipment qualifies for the investment tax credit pursuant to Procedural Order No. 28784 and *Idaho Code* § 63-3029I(3)(b). Staff, therefore, recommends that the Commission issue an Order confirming the equipment is qualified broadband equipment and forward the approving Order along with a copy of the original Application to the Idaho Tax Commission.

COMMISSION DECISION

Does the Commission wish to issue an order confirming the equipment identified in Case No. GNR-T-15-12 is qualified broadband equipment as defined in Idaho Code § 63-3029I(3)(b), and forward it to the Idaho Tax Commission?

Grace Seaman

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