(text box: 1)BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

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| IN THE MATTER OF THE APPLICATION OF MAX-TEL COMMUNICATIONS, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AS A RESELLER OF TELECOMMUNICATIONS SERVICES WITHIN THE STATE OF IDAHO. | )  )  )  )  )  )  )  ) | CASE NO. GNR-T-97-2  NOTICE OF MODIFIED PROCEDURE  ORDER NO. 26868 |

YOU ARE HEREBY NOTIFIED that on February 18, 1997, Max-Tel Communications, Inc. (Max-Tel) filed an Application and proposed tariff with the Commission seeking authority to operate as a reseller of telecommunications services.  Max-Tel proposes to begin providing service in Idaho on April 15, 1997.  Max-Tel states that it will provide local exchange services to residential customers in those areas currently served by U S WEST and GTE who will be Max-Tel’s competing local exchange corporations.  Max-Tel will resell U S WEST and GTE and purportedly will not own property in Idaho.  Max-Tel states that it is currently in negotiation with U S WEST and GTE.  A copy of Max-Tel’s proposed contract with U S WEST is attached to the Application.  Max-Tel states that its contract with GTE is still pending.

YOU ARE FURTHER NOTIFIED that the Commission has determined that the public interest may not require a formal hearing in this matter and will proceed under Modified Procedure pursuant to Rules 201 through 204 of the Idaho Public Utilities Commission's Rules of Procedure, IDAPA 31.01.01.201 through -.204.

YOU ARE FURTHER NOTIFIED that any person desiring to state a position on this Application may file a written comment in support or opposition with the Commission within twenty-one (21) days from the date of this Order.  The comment must contain a statement of reasons supporting the comment.  Persons desiring a hearing must specifically request a hearing in their written comments.  Written comments concerning this Application shall be mailed to the Commission and the Applicant at the addresses reflected below:

Commission SecretaryMax-Tel Communications, Inc.

Idaho Public Utilities CommissionPO Box 280

PO Box 83720Alvord, Tx 76225

Boise, Idaho  83720-0074

Street Address for Express Mail:

472 W Washington St

Boise, Idaho  83702-5983

These comments should contain the case caption and case number shown on the first page of this document.

YOU ARE FURTHER NOTIFIED that if no written comments are received within the time limit set, the Commission will consider this matter on its merits and enter its Order without a formal hearing.  If written comments are received within the time limit set, the Commission will consider them and, in its discretion, may set the same for formal hearing.

O R D E R

We find that, given other demands on this Commission’s time and resources it will not be possible to solicit comments in response to Max-Tel’s Application and render a ruling with respect thereto prior to Max-Tel’s proposed effective date of April 15, 1997.  We hereby suspend that proposed effective date for a period of thirty days plus five months (October 15, 1997) or until such time as this Commission issues a final order resolving Max-Tel’s Application.

IT IS HEREBY ORDERED that the proposed effective date of April 15, 1997 set forth in Max-Tel’s Application is hereby suspended for a period of thirty days plus five months (October 15, 1997) or until such time as this Commission issues a final order resolving Max-Tel’s Application.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this                  day of March 1997.

                                                                                                                                      RALPH NELSON, PRESIDENT

                                                                                           MARSHA H. SMITH, COMMISSIONER

DENNIS S. HANSEN, COMMISSIONER

ATTEST:

Myrna J. Walters

Commission Secretary

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**COMMENTS AND ANNOTATIONS**

Text Box 1:

**TEXT BOXES**

Office of the Secretary

Service Date

April 1, 1997