DECISION MEMORANDUM

TO:COMMISSIONER HANSEN

COMMISSIONER NELSON

COMMISSIONER SMITH

MYRNA WALTERS

DON HOWELL

STEPHANIE MILLER

DAVE SCHUNKE

CHERI COPSEY

DAVID SCOTT

TONYA CLARK

BEV BARKER

WORKING FILE

FROM:JOE CUSICK

DATE:OCTOBER 10, 1997

RE:IDAHO TELEPHONE ASSOCIATION’S PETITION FOR ELIGIBLE TELECOMMUNICATIONS CARRIER DESIGNATION ON BEHALF OF CERTAIN OF ITS MEMBER LOCAL EXCHANGE CARRIERS, AND PETITION FOR MODIFIED PROCEDURE - CASE NO. GNR-T-97-17

On September 11, 1997, the Idaho Telephone Association filed a petition on behalf of certain of its members (Albion Telephone Company, Inc., Westel, Inc., Cambridge Telephone Company, Council Telephone Company, Inc., Custer Telephone Coop., Farmers Mutual Telephone Company, Filer Mutual Telephone Company, Project Mutual Telephone Cooperative Association, Inc., Fremont Telcom Co., Inland Telephone Company, Midvale Telephone Exchange, Inc., Sawtooth Telephone, Inc., Mud Lake Telephone Coop., Oregon-Idaho Utilities, Inc., Direct Communications Rockland, Inc., Direct Communications Lakeside, Inc., Rural Telephone Company, Silver Star Telephone Co. and Columbine Telephone Company, Inc.) requesting five main items:

1.The Commission designate each of the above-captioned member LECs as a “Rural Telephone Company” pursuant to 47 U.S.C. § 153(37);

2.The Commission designate each of the above-captioned member LECs as an “Eligible Telecommunications Carrier” pursuant to Section 214(e)(2) of the 1996 Act for purposes of receiving all universal service supports, exemptions or other benefits that are or may be afforded to such Eligible Telecommunications Carriers under the Telecommunications Act or otherwise;

3.That such Eligible Telecommunications Carrier designation apply throughout the Petitioners’ respective Idaho study areas which include the areas included in the Certificate of Public Convenience and Necessity as issued to such LEC by this Commission.

4.That the Commission suspend application to the above-captioned Petitioners of the requirements of 47 U.S.C.  § 251(c) for a period of three (3) years, beginning January 1, 1998; and

5.That the Commission suspend or waive any requirement that the LECs provide “toll control.”

The Petitioners also request that these items be processed under Modified Procedure pursuant to the Commission’s Rules 201 through 210.

STAFF RECOMMENDATION

In reviewing this petition, Staff agrees that this is a matter which does not require formal hearings and should be handled under Modified Procedure with a 28-day comment period.

COMMISSION DECISION

Does the Commission agree?

Joe Cusick

JWC:jo/udmemos/gnrt9717.jwc