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BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

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| IN THE MATTER OF THE APPLICATION OF  ECLIPSE COMMUNICATIONS CORPORATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE LOCAL EXCHANGE SERVICE AS A COMPETITIVE LOCAL CARRIER. | )  )  )  )  )  )  ) | CASE NO. GNR-T-97-24  COMMENTS OF THE  COMMISSION STAFF |

COMES  NOW  the Staff of the Idaho Public Utilities Commission, by and through its Attorney of record, Cheri C. Copsey, Deputy Attorney General, in response to Order No. 27458, the Notice of Application and Notice of Modified Procedure in Case No. GNR-T-97-24, issued April 22, 1998, submits the following comments.

BACKGROUND

On December 18, 1997, the Commission received an Application from Eclipse Communications Corporation for a Certificate of Public Convenience and Necessity to provide local exchange telecommunications services within Idaho.  On April 22, in Order No 27458, the Commission provided notice of that Application and Notice of Modified Procedure.

Eclipse is a wholly owned subsidiary of Western Wireless Corporation, a wireless communications provider in 22 states, including Idaho.  In its Application, Eclipse requested authority from the Commission to provide service throughout the area currently served by

U S WEST.  It stated it intended to resell services provided by the incumbent local exchange carrier, as well as through Eclipse facilities, or a combination thereof.  Eclipse stated it would provide a full array of retail telecommunications services to both business and residential customers.  Eclipse has not yet concluded negotiations with U S WEST for an Interconnection Agreement.

STAFF FINDINGS

Staff reviewed the information provided by Eclipse in its Application and found it satisfied the Commission’s Rule of Procedure 111, IDAPA 31.01.01.111 and Procedural Order No.  26665, issued November 7, 1996.  Both established the minumum requirements that needed to be included with an Application for a Certificate of Public Convenience and Necessity to provide local exchange telecommunications services within Idaho.

Eclipse, headquartered in Issaquah, Washington, is a wholly-owned subsidiary of Western Wireless Corporation, a Washington corporation.  Eclipse is a new company, therefore, financial information for Eclipse is not available.  Eclipse stated in its a Application it intended to rely heavily upon its parent corporation Western Wireless’ resources and included a copy of Western Wireless’ 1996 Annual Report and SEC Form 10-Q for the first quarter of 1997.  The Annual Report indicated Western Wireless held more than $1.24 billion in assets at the end of 1996 and reported annual revenues of nearly $250 million.  Western Wireless’ revenues for the first three months of 1997 were more than $100 million, compared to revenues of $67 million for the same period in 1996.

Although Eclipse is a new company, the parent company Western Wireless, is a major wireless services provider.  This background should provide sufficient technical expertise for a provider of telecommunications services.

Eclipse specifically agreed to comply with all Commission rules.  It provided an illustrative tariff with its Application that demonstrates an understanding of tariffing requirements and processes.

STAFF RECOMMENDATION

Staff recommends Eclipse be granted a Certificate of Public Convenience and Necessity to provide local exchange telecommunications services within the service territories of U S WEST.

DATED  at Boise, Idaho, this            day of May 1998.

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Cheri C. Copsey

Deputy Attorney General

Technical Staff:  Wayne Hart

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