

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)
OF GOLD STAR COMMUNICATIONS, LLC) **CASE NO. GOL-T-10-01**
FOR DESIGNATION AS AN ELIGIBLE)
TELECOMMUNICATIONS CARRIER) **NOTICE OF APPLICATION**
)
) **NOTICE OF**
) **MODIFIED PROCEDURE**
)
) **ORDER NO. 32066**

On June 8, 2010, Gold Star Communications, LLC filed an Application seeking designation as an eligible telecommunications carrier (ETC) pursuant to the federal Telecommunications Act and this Commission’s Order No. 29841. 47 U.S.C. § 214(e)(1-2); 47 C.F.R. § 54.201. Gold Star is a commercial mobile radio services (CMRS) carrier providing mobile services as defined in 47 U.S.C. § 153(27) and conducts business as “Silver Star Wireless.” Designation as an ETC would allow Gold Star to receive monetary support from the federal Universal Service Fund (USF) and to participate in the federal Lifeline program.¹ Gold Star is a full-service wireless carrier that offers universal services throughout its licensed service area utilizing its own wireless network infrastructure.

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that Gold Star provides CMRS and mobile service on a prepaid and post-paid basis. Gold Star’s prepaid customers purchase a specific amount of local calling minutes in advance and do not execute a service contract. Under certain plans, prepaid customers also have the ability to purchase specific amounts of long-distance and roaming minutes. Gold Star’s post-paid customers sign a contract for a specific amount of monthly user-minutes and are billed for their usage. Application at 2.

YOU ARE FURTHER NOTIFIED that Gold Star is currently licensed to serve two “basic trading areas” (BTAs) in Idaho: BTA 202 (Idaho Falls) and BTA 353 (Pocatello). *Id.* Gold Star has also entered into a lease agreement with Syringa Wireless, LLC for use of

¹ The Federal Communications Commission’s Lifeline program is intended to promote universal service by using USF revenues to make telecommunications service more affordable. Idaho participates in the residential Lifeline program pursuant to *Idaho Code* § 56-901 and Order No. 21713.

Syringa's wireless spectrum in the areas of Wayan and the Smokey Canyon Mine owned by the J.R. Simplot Company. Pursuant to these BTA authorizations, Gold Star is authorized to provide wireless service in the following Idaho counties: Bonneville, Teton, Madison, Bingham, Butte, Custer, Lemhi, Jefferson, and Clark.

YOU ARE FURTHER NOTIFIED that the Company's proposed ETC service area is in Teton County, eastern and northern Caribou County, and eastern Bonneville County.

YOU ARE FURTHER NOTIFIED that Gold Star will offer those federally designated universal services which are supported by the federal USF program. These universal services include: voice grade access to the public switched telephone network; a certain amount of local usage; dual tone multi-frequency signaling; single-party service; access to emergency services, operator services, long-distance services, and directory assistance; and long-distance limitation (i.e., toll blocking) for qualifying low-income customers. Application at 5.

YOU ARE FURTHER NOTIFIED that upon receiving its ETC designation, Gold Star will advertise its services in various media outlets throughout its Idaho wireless service area. The method of advertising may include newspapers, magazines, radio, direct mailings, public exhibits and displays, bill inserts, and telephone directory advertising. *Id.* at 13.

YOU ARE FURTHER NOTIFIED that Gold Star will comply with all applicable Idaho service quality standards and consumer protection rules, and will abide by the Consumer Protection Standards established by the Cellular Telephone Industry Association (CTIA) consumer code. See Application at Exh. H.

YOU ARE FURTHER NOTIFIED that Gold Star states in its Application that granting it ETC designation is in the public interest. More specifically, Gold Star insists that its universal service offering will provide consumers in rural eastern Idaho "with the benefits of increased competitive choice and quality service . . . including high-speed data transmission capabilities." Application at 14-15. Gold Star further declares that it will also provide customers with voice mail, three-way calling, call waiting, call forwarding, and several different calling plans. *Id.* at 16.

YOU ARE FURTHER NOTIFIED that Gold Star indicates that its designation as an ETC will have "a nominal impact on the federal [USF] if calculated using the FCC's current 'identical support' rule." *Id.* at 18. Gold Star also asserts that it will serve all customers where it is able to provide wireless service regardless of the population densities. Consequently, it will

not be engaged in “cream skimming” by serving only low-cost areas and avoiding high-cost areas. *Id.* at 17-18.

NOTICE OF MODIFIED PROCEDURE

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. The Commission notes that Modified Procedure and written comments have proven to be an effective means for obtaining public input and participation.

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 service date of this Notice. 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 Gold Star at the addresses reflected below:

Commission Secretary
Idaho Public Utilities Commission
PO Box 83720
Boise, ID 83720-0074

Molly O’Leary
Richardson & O’Leary PLLC
PO Box 7218
Boise, ID 83707
E-Mail: molly@richardsonandoleary.com

Street Address for Express Mail:

472 W. Washington Street
Boise, ID 83702-5918

All comments should contain the case caption and case number shown on the first page of this document. Persons desiring to submit comments via e-mail may do so by accessing the Commission's home page located at www.puc.idaho.gov. Click the “Comments and Questions” icon and complete the comment form using the case number as it appears on the front of this document. These comments must also be sent to Gold Star at the e-mail address listed above.

YOU ARE FURTHER NOTIFIED that if no written comments or protests 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.

YOU ARE FURTHER NOTIFIED that the Application and supporting exhibits have been filed with the Commission and are available for public inspection during regular business hours at the Commission offices. The Application and exhibits are also available on the Commission's web site at www.puc.idaho.gov by clicking on "File Room" and then "Telephone Cases."

YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission's jurisdiction under Title 62 of the Idaho Code and specifically *Idaho Code* § 62-610D. The Commission may enter any final Order consistent with its authority under Title 62, Chapter 6.

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

ORDER

IT IS HEREBY ORDERED that this Application be processed under Modified Procedure. Persons interested in submitting written comments regarding this case or protesting the use of Modified Procedure should do so no later than 21 days from the service date of this Order.

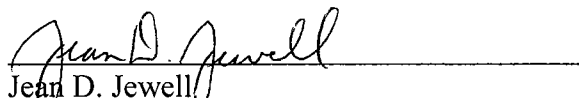
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 9th
day of September 2010.


JIM D. KEMPTON, PRESIDENT


MARSHA H. SMITH, COMMISSIONER


MACK A. REDFORD, COMMISSIONER

ATTEST:


Jean D. Jewell
Commission Secretary

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