

DECISION MEMORANDUM

TO: COMMISSIONER KJELLANDER
COMMISSIONER SMITH
COMMISSIONER HANSEN
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL

FROM: CECELIA A. GASSNER

DATE: SEPTEMBER 25, 2006

SUBJECT: IN THE MATTER OF INLAND CELLULAR'S PETITION FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER; INC-T-06-2

On June 29, 2006, Inland Cellular Telephone Company filed a Petition on behalf of Washington RSA No. 8 Limited Partnership d/b/a Inland Cellular ("Inland" or "Company") for designation as an Eligible Telecommunication Carrier (ETC) for service areas in Idaho that are currently serviced by other carriers. *See Idaho Code* § 61-610A and Order No. 29841. *Also see* 47 U.S.C. § 214(e)(2). On September 12, 2006, Potlatch Telephone Company, Inc. timely filed a Petition to Intervene in this matter. Neither the Company nor the Commission Staff filed in opposition to the Potlatch's Petition. Out-of-state counsel for Potlatch also filed a Motion for Admission *Pro Hac Vice*.

THE APPLICATION

According to the Application, Inland is authorized by the Federal Communications Commission (FCC) as the "B Band" cellular carrier in the northern section (within Idaho County) of Idaho 2 (B-2) Rural Service Area (RSA). Application at 2. Inland is also licensed by the FCC as the "B Band" cellular carrier and has the authority to serve the southern section of Idaho 1 (B-2) RSA through a Rural Service Area Service Agreement and Option held by Inland Telephone Company. *Id.* Inland is a commercial mobile radio service (CMRS) provider and provides interstate telecommunications services. *Id.* Inland seeks designation as an ETC and to receive universal service support in certain non-rural wire centers located in Benewah, Clearwater, Idaho, Latah, Lewis and Nez Perce Counties.

The Application contains certain information related to the Company's local usage plans, customer service and ability to provide service. The Company provides several pricing options for its customers, and also intends to invest funds in upgrading its infrastructure.

PETITION TO INTERVENE

Potlatch filed a Petition to Intervene in this matter on September 12, 2006. It claims a direct and substantial interest in this proceeding, as it is an eligible telecommunications carrier in the designated service area for providing supported local exchange services and receiving federal universal service support. Potlatch states it desires to fully participate in this matter to protect its interests as well as those of its customers.

MOTION FOR LIMITED ADMISSION

Pursuant to Rule 43, out-of-state counsel for Potlatch has filed Motions for Limited Admission with the Commission for the purpose of appearing in this matter. The attorney filing is:

Barry L. Hjort
Guillory & Hjort
2111 West Boulevard
Rapid City, SD 57701

The Motion avers that a copy of it and the requisite fee have been submitted to the Idaho State Bar. IDAPA 31.01.01.43.05(c), Bar Rule 222(j).

STAFF RECOMMENDATION

Staff recommends that Potlatch's Petition be granted. Staff also recommends that the Motion for Admission *Pro Hac Vice* be granted.

COMMISSION DECISION

Does the Commission desire to grant Potlatch's Petition? Does the Commission desire to grant the Motion for Admission *Pro Hac Vice*?



Cecelia A. Gassner

M:INC-T-06-02_cg2