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IDAHO PUBLIC  
UTILITIES COMMISSION

Attorneys for Inland Telephone Company  
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**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

IN THE MATTER OF THE PETITION OF  
INLAND TELEPHONE COMPANY FOR  
SUSPENSION OF NUMBER PORTABILITY  
REQUIREMENTS.

Case No. INL-T-04-1

Inland Telephone Company (“Inland”), by and through its attorneys, Givens Pursley LLP, files this Petition for a Temporary Suspension of Wireline to Wireless Number Portability Responsibilities (“Petition”) with the Idaho Public Utilities Commission (“Commission”). In support of its Petition, Inland states as follows:

1. Inland is a certificated telephone company that provides local exchange and other telecommunications services to customers in northern Idaho.
2. Pursuant to 47 U.S.C. § 251(b)(2), local exchange carriers such as Inland have “the duty to provide, to the extent technically feasible, number portability in accordance with requirements prescribed by the [Federal Communications Commission (“FCC”).” The FCC recently determined that, in areas outside the top one hundred MSAs, the capability to provide number portability from wireline to wireless carriers is to be implemented no later than May 24,

2004. See *In the Matter of Telephone Number Portability*, CC Docket No. 95-116, FCC 03-284 (Nov. 10, 2003). Inland does not provide service within the top one hundred MSAs.

3. The Telecommunications Act of 1996 further provides that local exchange carriers with less than 2% of the nation's subscriber lines installed in the aggregate may petition a state commission for suspension or modification of the local number portability ("LNP") requirement. The state commission "shall grant such petition to the extent that and for such duration as, the State commission determines that such suspension of modification" is necessary:

- (i) to avoid a significant adverse economic impact on users of telecommunications service generally,
- (ii) to avoid imposing a requirement that is unduly economically burdensome; or
- (iii) to avoid imposing a requirement that is technically infeasible.

47 U.S.C. § 251(f)(2). The state commission must further determine that granting the petition is "consistent with the public interest, convenience, and necessity." *Id.*

4. Inland has less than 2% of the nation's subscriber lines. The company provides local exchange service in four wire centers in the state of Washington: Dewatto, Roslyn, Prescott, and Union. In Idaho, Inland provides service in the Lenore and Leon exchanges. Each of these exchanges are served with a Mitel switch.

5. Inland's Mitel switches are not LNP capable. The cost to upgrade the switches to make them LNP capable would be approximately \$400,000 per switch. In addition, Inland would probably have to pay an additional "right to use" fee for each of the switches, plus the substantial internal costs associated with the implementation of LNP.

6. The benefits of LNP in Inland's service area are questionable at best. Inland has not received a single inquiry about LNP, let alone a request from a customer seeking to have his

or her number ported to a wireless provider. Furthermore, Inland does not anticipate a significant number of subscribers seeking to port to a wireless carrier for the foreseeable future.

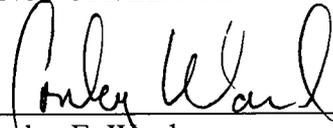
7. Inland therefore requests that the Commission suspend its LNP obligation until December 31, 2005. The Washington Utilities and Transportation Commission has already granted Inland a suspension through 2005 for its Washington exchanges. A similar ruling by the Idaho Commission will allow Inland sufficient time to devise and implement a switch replacement program that will provide additional benefits beyond LNP capability. This solution is consistent with the public interest, convenience, and necessity, and it will "avoid a significant adverse economic impact on users of telecommunications services," 47 U.S.C. § 251(f)(2)(A)(i), that would otherwise occur if each Inland member company is forced to install LNP functionality and pass the costs on to its customers.

8. The Petitioner submits that the public interest does not require a hearing on this Petition, and it therefore requests that this matter be processed by Modified Procedure.

WHEREFORE, the Petitioner respectfully requests that this Commission issue its order suspending Inland's obligation to provide local number portability until December 31, 2005.

RESPECTFULLY SUBMITTED This 11<sup>th</sup> day of February 2004.

GIVENS PURSLEY LLP

By:  \_\_\_\_\_  
Conley E. Ward  
Attorneys for Inland Telephone Company

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11<sup>th</sup> day of February 2004, I caused to be served a true and correct copy of the foregoing document by the method indicated below, and addressed to the following:

Jean Jewell  
Idaho Public Utilities Commission  
472 W. Washington Street  
P.O. Box 83720  
Boise, ID 83720-0074

U.S. Mail  
 Hand Delivered  
 Overnight Mail  
 Facsimile



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