

KRISTINE A. SASSER  
DEPUTY ATTORNEY GENERAL  
IDAHO PUBLIC UTILITIES COMMISSION  
PO BOX 83720  
BOISE, IDAHO 83720-0074  
(208) 334-0357  
BAR NO. 6618

RECEIVED  
2010 APR 22 AM 9:10  
IDAHO PUBLIC  
UTILITIES COMMISSION

Street Address for Express Mail:  
472 W. WASHINGTON  
BOISE, IDAHO 83702-5918

Attorney for the Commission Staff

## BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION OF )	
INTELEPEER, INC. FOR A CERTIFICATE OF )	CASE NO. IPI-T-09-01
PUBLIC CONVENIENCE AND NECESSITY TO )	
PROVIDE LOCAL EXCHANGE )	COMMENTS OF THE
TELECOMMUNICATIONS SERVICES. )	COMMISSION STAFF
)	

---

**COMES NOW** the Staff of the Idaho Public Utilities Commission, by and through its Attorney of record, Kristine A. Sasser, Deputy Attorney General, and in response to the Notice of Application and Notice of Modified Procedure issued in Order No. 31035 on April 2, 2010, in Case No. IPI-T-09-01, submits the following comments.

### BACKGROUND

On December 17, 2009, IntelPeer, Inc. filed an Application for a Certificate of Public Convenience and Necessity (CPCN) to provide facilities-based and resold local exchange and access telecommunications services in the State of Idaho. The Application states that the Company intends to provide basic local exchange services, custom calling features, and interexchange toll services (including toll-free services) to business and residential customers.

The Company intends to offer service in the areas served by Qwest and does not plan to provide service in areas of any small or rural local exchange carriers. IntelPeer's Application

states that the Company initially intends to provide toll services through the Company's underlying long-distance carrier. However, the Company seeks authority to provide the full range of resold and facilities-based local exchange and interexchange services so that it retains flexibility in providing its services in the future.

Although the Company has not yet initiated interconnection negotiations, it anticipates entering into interconnection and service arrangements with Qwest Corporation as soon as the Commission authorizes it to begin providing service.

The Company asserts that its expertise in telecommunications will permit it to select the most economical and efficient services, thereby providing customers with an excellent combination of price, quality, and customer service. The Company states that it possesses the requisite financial, managerial, and technical capacities to provide the proposed services. IntelPeer is a corporation organized under the laws of Delaware and authorized to transact business as a foreign corporation in Idaho.

#### **STAFF ANALYSIS**

Staff and the Company have been working closely to complete the Company's Application. On three occasions Staff sent corrections to the Company and all responses were timely. Staff also contacted a neighboring state Commission where the Company is certificated to provide local service and was told that the Company is in good standing. Staff believes that the Company's Application merits Commission approval.

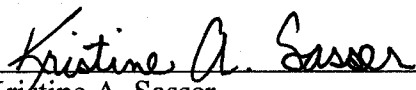
#### **STAFF RECOMMENDATIONS**

Staff recommends that IntelPeer, Inc. be granted a CPCN subject to the following conditions:

- a) The Company agrees to comply with the Number Pool Administrator and Idaho Commission Order No. 30425, which requires NRUF and Utilization reporting.
- b) As a provider of intrastate regulated local exchange services and in accordance with the Commission's Rules of Procedure, IntelPeer will be required to report and contribute, as appropriate, to the Idaho Universal Service Fund, Idaho Telecommunications Relay System, ITSAP and any requisite annual reporting that may be deemed appropriate in the future for competitive telecommunication providers.

- c) Prior to issuance of the Certificate, IntelPeer shall file a completed and final price list with all its rates, terms and conditions to have on file with the Commission.
- d) The Company will relinquish its Certificate and any telephone numbers if, within one year of the issuance of a CPCN, the Company is not offering local exchange telecommunications services in Idaho.

Respectfully submitted this 22<sup>nd</sup> day of April 2010.

  
\_\_\_\_\_  
Kristine A. Sasser  
Deputy Attorney General

Technical Staff: Carolee Hall

i:\umisc:comments\ipit09.1ksch comments

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 22<sup>ND</sup> DAY OF APRIL 2010, SERVED THE FOREGOING **COMMENTS OF THE COMMISSION STAFF**, IN CASE NO. IPI-T-09-01, BY MAILING A COPY THEREOF, POSTAGE PREPAID, TO THE FOLLOWING:

RONALD W DEL SESTO JR  
NGUYEN T VU  
BINGHAM McCUTCHEN  
2020 K ST NW  
WASHINGTON DC 20006  
E-MAIL: [r.delsesto@bingham.com](mailto:r.delsesto@bingham.com)  
[nguyen.vu@bingham.com](mailto:nguyen.vu@bingham.com)

  
\_\_\_\_\_  
SECRETARY

CERTIFICATE OF SERVICE