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Attorney for the Commission Staff

## **BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

<b>IN THE MATTER OF THE APPLICATION OF</b>	)	
<b>MITEL NETSOLUTIONS, INC. FOR A</b>	)	<b>CASE NO. ITN-T-09-01</b>
<b>CERTIFICATE OF PUBLIC CONVENIENCE</b>	)	
<b>AND NECESSITY TO PROVIDE LOCAL</b>	)	
<b>EXCHANGE TELECOMMUNICATIONS</b>	)	<b>COMMENTS OF THE</b>
<b>SERVICES WITHIN THE STATE OF IDAHO</b>	)	<b>COMMISSION STAFF</b>
	)	

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**COMES NOW** the Staff of the Idaho Public Utilities Commission, by and through its attorney of record, Neil Price, Deputy Attorney General, and in response to the Notice of Application and Notice of Modified Procedure issued in Order No. 30968 on December 29, 2009, in Case No. ITN-T-09-01, submits the following comments.

### **BACKGROUND AND STAFF ANALYSIS**

On November 25, 2009, Mitel NetSolutions, Inc. ("Mitel" or "Company") filed an Application for a Certificate of Public Convenience and Necessity pursuant to *Idaho Code* §§ 61-526 through 528, IDAPA 31.01.01.111 and Commission Order No. 26665, to provide local exchange telecommunications services within the State of Idaho.

The Company proposes to offer resold local exchange service throughout the service areas of Qwest North, Qwest South and Verizon, using the facilities of the incumbent LECs (ILECS). Currently, Mitel does not plan to install facilities in Idaho.

The Company intends to provide all forms of intrastate local exchange and interexchange telecommunications services including: switched local exchange, non-switched local service (e.g., private line), Centrex and/or Centrex-like services, and Digital subscriber line (ISDN).

Mitel attached a copy of its illustrative tariff to its Application and it now is in compliance with the Commission's Rules. The Company expressly states that it has reviewed the laws and regulations of this Commission governing local exchange telecommunications services in Idaho and agrees to provide service within the guidelines of all laws, rules and regulations to the extent they are not preempted by the Federal Act.

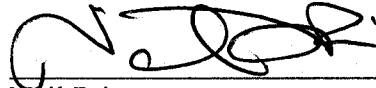
Mitel states that it has not initiated interconnection or resale negotiations for network interconnection.

### **STAFF RECOMMENDATION**

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

- a. The granting of this Certificate will be conditioned upon the Company complying 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, Mitel 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. Upon approval of this Application, Mitel will issue a final price list under Case No. ITN-T-09-01, at which time a certificate will be issued; and
- d. The Company agrees that it will relinquish its certificate and any telephone numbers if it is not doing business within one year of its issuance of a CPCN.

Respectfully submitted this 19th day of January 2010.



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Neil Price  
Deputy Attorney General

Technical Staff: Carolee Hall

i:umisc:comments/itnt09.1npch comments

## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY THAT I HAVE THIS 19<sup>TH</sup> DAY OF JANUARY 2010, SERVED THE FOREGOING **COMMENTS OF THE COMMISSION STAFF**, IN CASE NO. ITN-T-09-01, BY MAILING A COPY THEREOF, POSTAGE PREPAID, TO THE FOLLOWING:

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SECRETARY

CERTIFICATE OF SERVICE