

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)	CASE NO. KMC-T-03-1
OF KMC TELECOM V, INC. FOR A)	
CERTIFICATE OF PUBLIC CONVENIENCE)	NOTICE OF APPLICATION
AND NECESSITY TO PROVIDE LOCAL)	
EXCHANGE TELECOMMUNICATIONS)	NOTICE OF MODIFIED
SERVICES.)	PROCEDURE
)	
)	ORDER NO. 29415

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that on October 28, 2003, KMC Telecom V, Inc. ("KMC V" or "Company") filed an Application for a Certificate of Public Convenience and Necessity to provide facilities-based and resold competitive local exchange and interexchange services throughout the State of Idaho.

YOU ARE FURTHER NOTIFIED that KMC V's parent company is KMC Telecom Holdings, Inc., a Delaware corporation with its principal offices located in Bedminster, New Jersey. Although KMC V does not maintain offices in Idaho, the Company asserts that it has obtained a Certificate of Good Standing from the Idaho Secretary of State and maintains a local service agent. KMC V asserts that it is well qualified managerially, technically and financially to provide the competitive local exchange and interexchange telecommunications services.

YOU ARE FURTHER NOTIFIED that KMC V seeks authority to provide all forms of switched, dedicated, and interexchange telecommunications services throughout the State of Idaho. KMC V also intends to provide its Idaho customers with access to directory assistance, operator services, emergency 911 services, and telephone relay services independently or through arrangements with other carriers. As such, KMC V intends to compete with incumbent local exchange corporations in Idaho, including, but not limited to Qwest Corporation, as well as other competitive local exchange carriers and MTS/WATS long distance service providers. At this time, however, the Company would not enter into competition with a rural local exchange carrier until the Commission has found such competition to be in the public interest as set out in Section 251(f)(1) of the Telecommunications Act of 1996.

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YOU ARE FURTHER NOTIFIED that KMC V is planning on providing interexchange services by reselling another carrier's interexchange services. At present however, KMC V has not entered into a resale agreement with any providers of interexchange service.

YOU ARE FURTHER NOTIFIED that KMC V does not intend to collect end user deposits and/or advance payments from its customers. In the event KMC V decides in the future to require deposits and/or advance payments, the Company states that it will comply with all applicable federal and state laws, rules, and regulations, including modifying its existing tariffs.

YOU ARE FURTHER NOTIFIED that the Application states that KMC V has reviewed and agrees to adhere to all state laws and all Commission policies, rules and orders applicable to competitive local and intrastate interexchange carriers in the state of Idaho.

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.

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 the Applicant at the addresses reflected below:

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

Brad Mutschelknaus
Eric Jenkins
Kelley Drye & Warren LLP
1200 19th Street, N.W., Suite 500
Washington, DC 20036

Street Address for Express Mail:

472 W. Washington Street
Boise, ID 83702-5983

Riley M. Murphy
Senior Vice President/Legal Affairs
KMC Telecom V, Inc.
1545 Route 206, Suite 300
Bedminster, NJ 07921

These 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.state.id.us. Click the "Comments and Questions" icon, and complete the comment form, using the case number as it appears on the front of this document.

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 together with supporting workpapers, testimonies and exhibits, have been filed with the Commission and are available for public inspection during regular business hours at the Commission offices.

YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission's jurisdiction under Titles 61 and 62 of the Idaho Code and that the Commission may enter any final Order consistent with its authority under the Idaho Code.

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.*

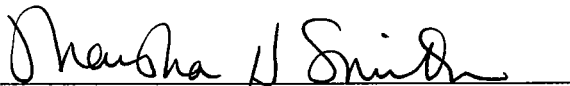
ORDER

IT IS HEREBY ORDERED that the Application of KMC Telecom V, Inc. for a Certificate of Public Convenience and Necessity be processed by Modified Procedure, IDAPA 31.01.01.201-.204. Persons interested in submitting written comments in this matter 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 12th day of January 2004.



PAUL KJELLANDER, PRESIDENT

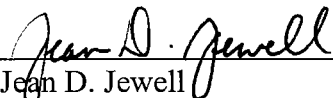


MARSHA H. SMITH, COMMISSIONER



DENNIS S. HANSEN, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

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