DECISION MEMORANDUM

TO:COMMISSIONER HANSEN

COMMISSIONER NELSON

COMMISSIONER SMITH

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DAVID SCOTT

WORKING FILE

FROM:CHERI C. COPSEY

DATE:DECEMBER 23, 1997

RE:APPLICATION OF LDM SYSTEMS, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.  CASE NO. LDM-T-97-1.

On March 5, 1997, the Commission received an Application from LDM Systems, Inc. for a Certificate of Public Convenience and Necessity to provide resold local exchange service as a competitive local carrier throughout the entire state of Idaho.  Application at 1.  LDM also requested an exemption from the requirements of Idaho Code § 62-610 and IDAPA 31.46.02.302.  LDM is a New York corporation qualified to do business in Idaho.  LDM filed supplemental information in further support of its Application on September 15, 1997, and supplemental financial information on November 11, 1997. On September 15, 1997, LDM filed its proposed initial tariff with the Commission for information purposes pursuant to Idaho Code § 62-606.

LDM proposes to provide resold exchange services to subscribers from GTE’s, U S WEST North’s and U S WEST South’s existing service areas and seeks authorization as a competitive LEC.  LDM states that it intends to provide all forms of intrastate telecommunications services, including:

Basic residential exchange services (local exchange flat rate, measured flat rate, operator assistance)

Residential custom and class features (call waiting, caller ID, call forwarding, etc.)

Basic business exchange services

Business custom calling class features

Adjunct provider services (voice message, etc.)

Business and residential ancillary services (911, directory listing, directory assistance, etc.)

The federal Telecommunications Act of 1996 established the framework for incumbent LECs to provide resellers or local exchange service with unbundled service.  47 U.S.C. §§ 251-252.

LDM claims it is technically and financially qualified to provide resold telecommunications services in Idaho.  It claims that it has access to the financing and capital necessary to conduct its telecommunication operations as described in the Application.  Finally, LDM requested this Application be granted without hearing or other formal proceeding.

STAFF RECOMMENDATION

Staff agrees that this matter does not require formal hearings and, therefore, recommends that this Application be handled under Modified Procedure with a 21 day comment period.

Commission Decision

Does the Commission want to process this Application under Modified Procedure and solicit comments and response to LDM’s Application?

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Cheri C. Copsey

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