DECISION MEMORANDUM

TO:COMMISSIONER HANSEN

COMMISSIONER NELSON

COMMISSIONER SMITH

MYRNA WALTERS

TONYA CLARK

STEPHANIE MILLER

DAVE SCHUNKE

JOE CUSICK

BIRDELLE BROWN

DON HOWELL

BEV BARKER

DAVID SCOTT

WORKING FILE

FROM:CHERI C. COPSEY

DATE:MARCH 9, 1998

RE:APPLICATION OF LONG DISTANCE DIRECT, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.  CASE NO. LON-T-97-1.

On June 27, 1997,Long Distance Direct, Inc.filed a revised local resale tariff and stated it would “provide services in areas located in the State of Idaho serviced by the Local Exchange Carriers whose services it will resell.”  No actual Application for a Certificate of Public Convenience and Necessity was ever received.  After several phone calls, Staff contacted the attorney of Long Distance by fax on January 15, 1998, requesting a completed Application and corrections or clarifications to the revised tariff it had filed.  The attorney stated the Application had been sent to the Commission but did not know the date and indicated he may not have a copy of the Application for refiling.  A search of the files did not reveal its existence.  Staff requested it receive those items by February 20, 1998.  Nothing has been filed.

On March 5, 1998, Staff left a voice mail message with Long Distance’s attorney indicating Staff’s intent to seek a dismissal of this case without prejudice.  Staff received a return call from the attorneyon March 6, 1998, requesting the case remain open but he could not give any assurances of when the Application would be filed or the revisions made to the tariff.

STAFF RECOMMENDATION

Staff has reviewed the file and revised tariff and found no Application has ever been filed.  Therefore, Staff recommends that the case be closed, dismissed without prejudice and the docket closed pursuant to IDAPA 31.01.01.065.

Commission Decision

Should the docket be closed?

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Cheri C. Copsey

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