

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)
OF LXI-CLEC, LLC FOR A CERTIFICATE) **CASE NO. LXI-T-10-01**
OF PUBLIC CONVENIENCE AND)
NECESSITY TO PROVIDE LOCAL) **NOTICE OF APPLICATION**
EXCHANGE TELECOMMUNICATIONS)
SERVICES.) **NOTICE OF**
) **MODIFIED PROCEDURE**
)
) **ORDER NO. 32041**

On February 19, 2010, LXI-CLEC, LLC filed an Application for a Certificate of Public Convenience and Necessity (CPCN) to provide facilities-based and resold local exchange telecommunications services in the State of Idaho. The Application states that the Company intends to provide resold and switchless reseller service utilizing unbundled network elements, or the equivalent thereof, to business and residential customers.

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that the Company intends to offer service in the areas served by Qwest. At the time of its Application, the Company had not initiated any interconnection or resale agreements.

YOU ARE FURTHER NOTIFIED that, although the Company intends to initially provide services to business and residential customers in the Magic Valley, it seeks authority to resell and provide facilities-based interexchange and local exchange services throughout the State.

YOU ARE FURTHER NOTIFIED that LXI is a limited liability company organized under the laws of Idaho and located in Twin Falls. The Company states that it is a new entity being supported by the owners of Tek-Hut, Inc., an Idaho company since 2001. LXI has submitted financial statements from Tek-Hut as proof of financial stability.

NOTICE OF MODIFIED PROCEDURE

YOU ARE FURTHER NOTIFIED that the Commission has preliminarily determined that the public interest may not require a formal hearing in this matter and will proceed under Modified Procedure pursuant to the Commission's Rules of Procedure 201 through 204, IDAPA 31.01.01.201 through .204. The utilization of Modified Procedure and

NOTICE OF APPLICATION
NOTICE OF MODIFIED PROCEDURE
ORDER NO. 32041

written comments have proven to be an effective means for obtaining public input and participation.

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

Nate Bondelid
460 Main Avenue S., Suite 10
Twin Falls, ID 83301
E-mail: nate@tek-hut.com

Street Address for Express Mail:
472 W. Washington Street
Boise, ID 83702-5918

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.idaho.gov. Click the "Comments and Questions" icon and complete the comment form using the case number as it appears on the front of this document. These comments must also be sent to the Applicant at the e-mail address listed above.

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 and supporting workpapers have been filed with the Commission and are available for public inspection during regular business hours at the Commission offices. The Application and other workpapers are also available on the Commission's web site at www.puc.idaho.gov by clicking on "File Room" and then "Telephone Cases."

YOU ARE FURTHER NOTIFIED that the Commission has jurisdiction over this matter pursuant to Title 61 and 62 of the Idaho Code and specifically *Idaho Code* §§ 61-526 through 62-615. The Commission may enter any final Order consistent with its authority under Title 61.

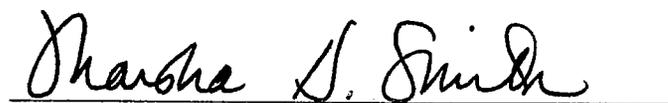
YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission's Rules of Procedure, IDAPA 31.01.01.000, *et seq.*

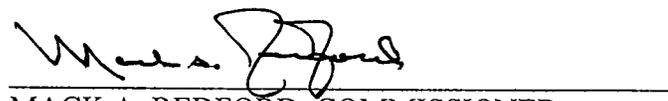
ORDER

IT IS HEREBY ORDERED that the Application of LXI-CLEC, LLC be processed by Modified Procedure. Persons interested in submitting written comments regarding this case or protesting the use of Modified Procedure should do so no later than twenty-one (21) days from the service date of this Order.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 29th day of July 2010.


JIM D. KEMPTON, PRESIDENT


MARSHA H. SMITH, COMMISSIONER


MACK A. REDFORD, COMMISSIONER

ATTEST:


Jean D. Jewell
Commission Secretary

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NOTICE OF APPLICATION
NOTICE OF MODIFIED PROCEDURE
ORDER NO. 32041