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Attorney for the Commission Staff

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF MAGNA5, LLC'S)
APPLICATION FOR A CERTIFICATE OF) **CASE NO. MAG-T-17-01**
PUBLIC CONVENIENCE AND NECESSITY.)
) **COMMENTS OF THE**
) **COMMISSION STAFF**
)

STAFF OF the Idaho Public Utilities Commission, by and through its Attorney of record, Sean Costello, Deputy Attorney General, submits the following comments.

BACKGROUND

On December 5, 2017, Magna5, LLC (Magna) applied to the Commission for a Certificate of Public Convenience and Necessity (Application)(CPCN) authorizing it to provide resold local exchange and resold interexchange telecommunications services in Idaho pursuant to IDAPA 31.01.01.114 and Commissioner Order No. 26665.

STAFF ANALYSIS

Magna is a Delaware corporation, authorized to do business in Idaho and is located at 35445 Legacy Drive, Suite 180, Plano, Texas 75024. It is registered with the Idaho Secretary of State and its Foreign Certificate of Registration is attached to its Application. Its Foreign Certificate of Registration is attached to the Application as Exhibit A.

Magna proposes, and requests authority, to “to provide resold local exchange services, interexchange, dedicated point-to-point private line service, Voice over Internet Protocol (“VoIP”), and dedicated Internet access to business customers only.” *See* Application at 2. Magna intends to offer competitive resold services throughout all exchanges currently served by underlying carriers CenturyLink and Frontier. *See* Application at 2.

Magna provided its names and addresses of Officers and Directors, as well as financial information, which it asserts is exempt from public disclosure pursuant to Rule 67. *See* Exhibit D; IDAPA 31.01.01.067.

Magna agrees to comply with all Commission rules. *See* Exhibit G.

STAFF RECOMMENDATION

Staff has reviewed Magna’s Application for a CPCN and believes the Company understands and agrees to comply with the Commission’s rules and requirements. Based on the review, Staff believes Magna’s Application fulfills the requirements of the Commission Rules and Procedural Order No. 26665. Staff also believes Magna possesses the requisite financial, managerial, and technical qualifications necessary to operate as a provider of telecommunications services.

Staff, therefore, recommends approval of the Application for a Certificate of Public Convenience and Necessity subject to the following conditions:

1. Magna complies with number pooling and reporting requirements of the North American Numbering Plan Administrator, as set forth in Commission Order No. 30425;
2. Magna provides necessary reports, and contributions as appropriate to the Idaho Universal Service Fund,¹ Idaho Telecommunications Relay System,² Idaho Telecommunications Service Assistance Program,³ and complies with all future reporting requirements deemed appropriate by the Commission for competitive telecommunications providers;
3. Prior to issuance of the Certificate, Magna will file a final price list outlining all its rates, terms and conditions with the Commission; and

¹ *See* Commission Order No. 32637.

² *See* Commission Order No. 32524.

³ *See* Commission Order No. 32526.

4. Magna will relinquish its Certificate and all telephone numbers if, within one year of issuance of a CPCN, the Company is not providing local and long distance telecommunications services in Idaho.

Respectfully submitted this 3rd day of April 2018.



Sean Costello
Deputy Attorney General

Technical Staff: Daniel Klein

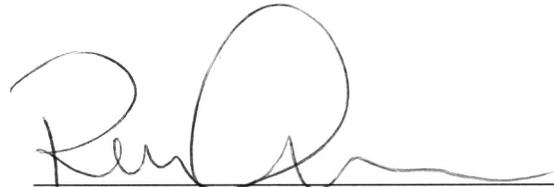
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 3rd DAY OF APRIL 2018, SERVED THE FOREGOING **COMMENTS OF THE COMMISSION STAFF**, IN CASE NO. MAG-T-17-01, BY MAILING A COPY THEREOF, POSTAGE PREPAID, TO THE FOLLOWING:

MATT W DEAN
REGULATORY AGENT FOR
MAGNA5 LLC
12316 HIDDEN FOREST BLVD
OKLAHOMA CITY OK 73142

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TIER 1 SUPPORT MANAGER
5445 LEGACY DR STE 180
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SECRETARY