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Attorney for the Commission Staff

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF THE APPLICATION OF )  
MBC TELECOM, LLC FOR A CERTIFICATE ) CASE NO. MBC-T-09-01  
OF PUBLIC CONVENIENCE AND NECESSITY )  
TO PROVIDE LOCAL EXCHANGE ) COMMENTS OF THE  
TELECOMMUNICATIONS SERVICES. ) COMMISSION STAFF  
\_\_\_\_\_ )**

**COMES NOW** the Staff of the Idaho Public Utilities Commission, by and through its Attorney of record, Kristine A. Sasser, Deputy Attorney General, and in response to the Notice of Application and Notice of Modified Procedure issued in Order No. 31044 on April 15, 2010, in Case No. MBC-T-09-01, submits the following comments.

**BACKGROUND**

On December 21, 2009, MBC Telecom, LLC filed an Application for a Certificate of Public Convenience and Necessity (CPCN) to provide facilities-based and resold local exchange services in the State of Idaho. The Application states that the Company intends to offer local exchange and exchange access services, including origination and termination services, for retail and wholesale customers.

The Company seeks authority to provide telecommunications services in areas currently served by Qwest and Verizon.

MBC intends to use facilities purchased from other carriers and does not anticipate installing its own physical plant in Idaho. The Company's Application states that it will begin negotiations for interconnection agreements upon issuance of a CPCN by the Commission.

MBC is a limited liability company organized under the laws of Nevada. The Company is registered as a foreign corporation with Idaho's Secretary of State.

### **STAFF ANALYSIS**

Staff has been working closely with the Company's counsel. There were a number of revisions that were necessary to bring the illustrative price list into compliance with the Commission's Rules of Procedure and Idaho statutes. The Company has been very responsive to Staff's requests and revisions. With the recent revisions, Staff believes that the Company's Application merits Commission approval.

### **STAFF RECOMMENDATIONS**

Staff recommends that MBC Telecom LLC be granted a CPCN subject to the following conditions:

- a) The Company agrees to comply with the Number Pool Administrator and Idaho Commission Order No. 30425, which requires NRUF and Utilization reporting.
- b) As a provider of intrastate regulated local exchange services and in accordance with the Commission's Rules of Procedure, MBC will be required to report and contribute, as appropriate, to the Idaho Universal Service Fund, Idaho Telecommunications Relay System, ITSAP and any requisite annual reporting that may be deemed appropriate in the future for competitive telecommunication providers.
- c) Prior to issuance of the certificate, MBC shall file a completed and final price list with all its rates, terms and conditions with the Commission.
- d) The Company will relinquish its certificate and any telephone numbers if, within one year of the issuance of a CPCN, the Company is not offering local exchange telecommunications services in Idaho.

Respectfully submitted this 6<sup>TH</sup> day of May 2010.

  
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Kristine A. Sasser  
Deputy Attorney General

Technical Staff: Carolee Hall

i:umisc:comments/mbct09.lksch comments

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 6<sup>TH</sup> DAY OF MAY 2010, SERVED THE FOREGOING **COMMENTS OF THE COMMISSION STAFF**, IN CASE NO. MBC-T-09-01, BY MAILING A COPY THEREOF, POSTAGE PREPAID, TO THE FOLLOWING:

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SECRETARY