

MID-T-08-02

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December 2, 2008

Idaho Public Utilities Commission
PO Box 83720
Boise, ID 83720-0074
Attn: Grace Seaman

RECEIVED
2008 DEC -4 AM 8:25
IDAHO PUBLIC UTILITIES COMMISSION

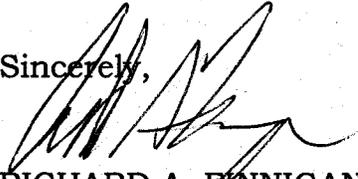
Re: Midvale Telephone Exchange, Incorporated - Section 63.71
Application for Authority to Discontinue Certain Services

Dear Ms. Seaman:

Pursuant to the rules of the Federal Communications Commission found in 47 C.F.R. § 63.71, attached is a copy of the Application of Midvale Telephone Exchange, Incorporated to Discontinue Certain Services. Under the FCC's rules, a copy of the Application is to be sent to your office. In addition, copies of customer notification letters are also attached.

This Application affects a small portion of Midvale's operating territory known as the Connor Creek area. This area is subject to an agreement to transfer the area to Eagle Telephone System, Inc. The Application affects a total of twenty-two customers in Oregon and includes some largely unoccupied land in Idaho.

If you have any questions concerning this matter, please contact the undersigned.

Sincerely,

RICHARD A. FINNIGAN

RAF/km
Enclosures

cc: Steve Child (via e-mail)
Cindy Melillo (via e-mail)
Mike Lattin (via e-mail)

Received & Inspected

OCT 30 2008

FCC Mail Room

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

In the Matter of

Section 63.71 Application of

Midvale Telephone Exchange, Incorporated

For Authority to Discontinue Certain Services

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UTILITIES COMMISSION

SECTION 63.71 APPLICATION

Midvale Telephone Exchange, Incorporated ("Midvale"), through undersigned counsel, hereby files this application to discontinue services pursuant to Section 63.71 of the Federal Communications Commission's ("Commission") rules, 47 C.F.R. § 63.71, and Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214. Midvale and Eagle Telephone System, Inc. ("Eagle") filed a joint request with the Oregon Public Utility Commission ("OPUC") to remove territory from Midvale's service area and transfer that territory to Eagle's service territory. The OPUC has approved that petition by Order No. 08-404.¹ As a result, Midvale is required to stop providing local telephone service in the area that is subject to the OPUC Order, known as Conner Creek. Accordingly, Midvale is seeking to discontinue retail provision of local service, associated features and packages, and switched access services in that area.

¹ *In the Matter of Eagle Telephone System, Inc., and Midvale Telephone Exchange Application for the Unallocation, Transfer and Allocation of Certain Territory*, UA 114, Order, Order No. 08-404 (entered August 2, 2008).

COPY

Midvale submits the following information in support of its application:

1. Name and address of carrier

Midvale Telephone Exchange, Incorporated
2205 Keithly Creek Rd
Midvale, ID 83645

2. Date of planned service discontinuance

The plan is to transition the customers to Eagle as soon as it may be accomplished and the Study Area Waiver jointly filed by Eagle and Midvale of even date herewith is granted. The primary reason for the transfer of the territory is that the plant that currently serves those customers is old and subject to frequent outages. It is approximately a three hour trip in each direction for Midvale to dispatch personnel to address the trouble report. As a result, it has become increasingly expensive to provide service in that area. Eagle is adjacent to the Conner Creek area and can construct new, state-of-the-art facilities and is in much closer proximity to attend to trouble reports. Thus, the quality of service for the customers in Conner Creek will increase and they will have access to advanced services for the first time.

3. Points of geographic areas of service affected

As noted, this is the Conner Creek area. It is in Baker County, Oregon, which is in the northeast portion of the state. The area also includes a portion of Idaho. The area includes: See Exhibit A.

4. Brief description of the type of services affected

Midvale will cease offering retail local service, associated features and packages and switched access service.

5. Brief description of the dates and methods of notice to all affected customers

A notice has been provided to customers. A copy of that notice is attached as Exhibit B.

It is also anticipated that additional notice will be given to customers at the point of cut over from Midvale to Eagle. There are approximately 22 customers in the service area.

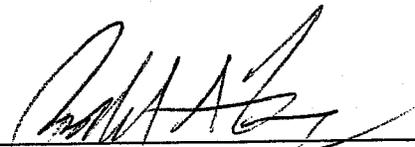
6. Dominance of carrier with respect to the service to be discontinued

To the extent that a rural telephone company can be said to be a dominant carrier in a very rural service market, Midvale is the dominant carrier for the limited service area of Conner Creek, although it is not the dominant carrier in either Oregon or Idaho.

7. Service

In accordance with 47 C.F.R. § 63.7(a), Midvale has mailed a copy of this application to the Governor of Oregon and the OPUC, as well as to the Special Assistant for Telecommunications under the Secretary of Defense.

Respectfully submitted this 27th day of October, 2008.



Richard A. Finnigan
Attorney for Midvale Telephone Exchange,
Incorporated
2112 Black Lake Blvd SW
Olympia, WA 98512
(360) 956-7001

EXHIBIT A

In the State of Oregon:

Beginning where the Snake River serves as the border between Oregon and Idaho crosses the northern section line of Section 19, Township 11 South, Range 46 East, W.M., as the True Point of Beginning; thence proceeding westerly along the said Northern section line in a westerly direction to the Northwest corner of Section 24, Township 11 South, Range 45 East; thence South along the Western section line of said Section 24 to the Southeast corner of Section 35, Township 11 South, Range 45 East, W.M.; thence West along the Southern section line of said Section 35 to the Northwest corner of Section 4, Township 12 South, Range 45 East; thence South along the Western section line of said Section 4 to the Southeast corner of Section 20, Township 12 South, Range 45 East; thence West along the Southern section line of said Section 20 to the Southwest corner of said Section 20; thence South along the Western section line of Section 29, Township 12 South, Range 45 East, W.M.; thence continuing South to the Southwest corner of Section 5, Township 13 South, Range 45 East; thence along the Southern section line of said Section 5 to the point where the Snake River forming the boundary between the States of Idaho and Oregon crosses the Southern line of Section 4, Township 13 South, Range 45 East, W.M.; thence northeasterly along the midpoint of the Snake River as it exists in September of 2008, forming the boundary between the States of Oregon and Idaho, to the True Point of Beginning, Baker County, Oregon.

In the State of Idaho:

Beginning at the point that the Snake River crosses the southerly section line of Section 14, Township 14 North, Range 7 West, B.M., in the State of Idaho, County of Washington, as the True Point of Beginning; thence proceeding East to the Southeast corner of Section 13, Township 14 North, Range 7 West, B.M.; thence proceeding North along the East section line of said Section 13 to the Northeast corner of Section 1, Township 14 North, Range 7 West, B.M.; thence West along the North section line of said Section 1 to the point that the Snake River crosses said section line; thence following the midline of the Snake River as it exists as of September of 2008 and forms the border between the States of Oregon and Idaho southwesterly to the True Point of Beginning, Washington County, Idaho.

EXHIBIT B

(EXHIBIT B, CUSTOMER NOTICES, WERE SCANNED SEPARATELY)