

DECISION MEMORANDUM

**TO: COMMISSIONER KJELLANDER
COMMISSIONER REDFORD
COMMISSIONER SMITH
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL**

FROM: NEIL PRICE

DATE: FEBRUARY 15, 2013

**SUBJECT: APPLICATION OF NEXUS COMMUNICATIONS, INC. FOR
DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS
CARRIER, CASE NO. NCI-T-11-01**

On April 6, 2011, Nexus Communications, Inc. (“Nexus” or “Company”) filed an Application, pursuant to 47 U.S.C. § 214(e)(6) of the Communications Act of 1934 (“the Act”), 47 C.F.R. § 54.201 *et seq.*, and Order No. 29841, seeking designation as an eligible telecommunications carrier (“ETC”) in the State of Idaho for the sole purpose of receiving Lifeline/Link-up (“Low-Income”) support. *Application* at 1. On September 27, 2012, the Company filed amendments to its original Application describing how Nexus will comply with the new requirements in the Federal Communication Commission’s (“FCC”) rules for the Lifeline Universal Service program instituted by the FCC’s November 18, 2011 (“Connect America Fund Order”) and February 6, 2012 (“Lifeline Reform Order”) Orders.

On January 22, 2013, the Commission issued a Notice of Application and Notice of Modified Procedure with a 21-day comment period.

MOTIONS FOR EXTENSION OF COMMENT PERIOD

On February 12, 2013, Staff filed a Motion for a 30-day extension from the end of the comment period regarding Nexus’ ETC Application. Staff remarked that its correspondence with representatives of Nexus revealed that the Company intends to file an amendment to its Application to more fully address certain ETC requirements regarding the remittance of applicable Idaho Telephone Service Assistance Program (“ITSAP”) and E-911 fees.

On February 13, 2013, Nexus submitted a Motion to Extend the Comment Period regarding Nexus’ Application for designation as an ETC, filed on April 5, 2011. The Company

stated that, pursuant to its conversations with Staff and in order to allow time to respond to their inquiries, it requests that the comment period be extended by an additional 30 days.

COMMISSION DECISION

Does the Commission wish to grant the parties' Motions for a 30-day extension of the previously established public comment period?



Neil Price
Deputy Attorney General

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