

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF NEW HORIZONS )**  
**COMMUNICATIONS CORP.'S )** **CASE NO. NHC-T-12-01**  
**APPLICATION FOR A CERTIFICATE OF )**  
**PUBLIC CONVENIENCE AND NECESSITY )** **NOTICE OF APPLICATION**  
**TO PROVIDE LOCAL EXCHANGE )**  
**TELECOMMUNICATIONS SERVICES )** **NOTICE OF**  
**)** **MODIFIED PROCEDURE**  
**)**  
**)** **ORDER NO. 32757**

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On September 28, 2012, New Horizons Communications Corp. (the “Company”) applied to the Commission for a Certificate of Public Convenience and Necessity (CPCN) authorizing it to provide resold and facilities-based local exchange telecommunications services in Idaho.<sup>1</sup> With this Order, the Commission summarizes the Application, solicits public input on the Application, and orders that the case be processed under the Commission’s Rules of Modified Procedure.

**NOTICE OF APPLICATION**

YOU ARE HEREBY NOTIFIED that according to the Application, the Company is a Delaware corporation with principal offices in Lexington, Massachusetts. The Company has no Idaho offices, but it has a registered agent in Idaho. The Application lists the Company’s officers and directors and provides an address at which they can be reached. The Application indicates that the Company does not own or control any subsidiaries. The Application also says that no corporation, association, or organization holds a 5% or greater ownership or managerial interest in the Company. *See* Application at 1-3 and Exh. 1 and 2.

YOU ARE FURTHER NOTIFIED that the Company says it intends to initially offer resold local exchange services and buy unbundled network elements provided by existing local exchange carriers (“LECs”) CenturyTel North and CenturyTel South. *Id.* at 3. The Company says it has authority to provide interexchange telecommunications services, and that it intends to

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<sup>1</sup> The Application attaches Exhibit Nos.: 1) Certificate of Incorporation, 2) Certificate of Authority to Transact Business in Idaho, 3) Financial Information, 4) Service Area Map, and 5) an Illustrative Tariff. On January 23, 2013, the Company replaced Exhibit No. 5 with a new tariff. On February 11, 2013, the Company replaced page 3 of the Application, and also filed new pages 29 and 33 to the replacement tariff. This Order refers to these documents collectively as the “Application.”

provide all forms of intrastate local exchange telecommunications services. *Id.* at 3-4. The Company says it has no plans to install facilities in Idaho, but that it may do so in the future. *Id.* at 3. If it does, it likely would provide voice and high-speed data services through a combination of switching and transport media. The switching system would include a central processing and control complex that can interconnect as a peer to both incumbent and competitive LECs. *Id.* at 4. The switch's hub would interconnect with the public switched network on Signaling System 7 or Feature Group D facilities. The system's remote module capability would allow the Company to serve properties and exchange signaling, control and calling/caller information to the network per network standards and specifications. The Company would also deliver these services using a combination of delivery mechanisms through incumbent LECs' unbundled loop network, copper and fiber and transport networks, and via Company-constructed facilities. *Id.*

YOU ARE FURTHER NOTIFIED that the Company proposes to serve areas that are served by incumbent LECs that are ineligible for a small or rural carrier exemption. *Id.* at 4. The Company's Application includes a map of the Company's proposed territory. *Id.* at 5, Exh. 4.

YOU ARE FURTHER NOTIFIED that the Company says it has initiated interconnection negotiations with Qwest. *Id.* at 6. The Company says it will file its proposed tariff and begin providing service once it has finalized its interconnection agreements and received its CPCN. *Id.* at 5. The Company says it has reviewed and will comply with all Commission rules. *Id.* at 3.

#### **NOTICE OF MODIFIED PROCEDURE**

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

Lance J.M. Steinhart, P.C.  
1725 Windward Concourse  
Suite 150  
Alpharetta, Georgia 30005  
E-mail: [lsteinhart@telecomcounsel.com](mailto:lsteinhart@telecomcounsel.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](http://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 has been filed with the Commission and is available for public inspection during regular business hours at the Commission offices. The Application is also available on the Commission's web site at [www.puc.idaho.gov](http://www.puc.idaho.gov) by clicking on "File Room" and then "Telephone Cases."

YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission's jurisdiction under Title 62 of the Idaho Code. The Commission may enter any final Order consistent with its authority under Title 62 and Commission Rule of Procedure 114, IDAPA 31.01.01.114.

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 this Application be processed under Modified Procedure. Persons interested in submitting written comments regarding this case or protesting the use of Modified Procedure should do so no later than 21 days from the service date of this Order.

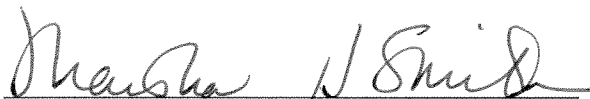
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 5<sup>th</sup> day of March 2013.



PAUL KJELLANDER, PRESIDENT



MACK A. REDFORD, COMMISSIONER



MARSHA H. SMITH, COMMISSIONER

ATTEST:



Jean D. Jewell  
Commission Secretary

O:NHC-T-12-01\_kk