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Attorney for the Commission Staff

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF BCN TELECOM, INC.'S)
APPLICATION FOR A CERTIFICATE OF) **CASE NO. NUI-T-13-01**
PUBLIC CONVENIENCE AND NECESSITY TO)
PROVIDE FACILITIES-BASED AND RESOLD)
LOCAL EXCHANGE SERVICES.) **COMMENTS OF THE**
) **COMMISSION STAFF**
)

The Staff of the Idaho Public Utilities Commission comments as follows on BCN TELECOM, INC.'s Application for a Certificate of Public Convenience and Necessity.

BACKGROUND

On August 6, 2013, BCN TELECOM, INC. ("BCN Telecom" or "Company") applied to the Commission for a Certificate of Public Convenience and Necessity ("CPCN") authorizing the Company to provide facilities-based and resold local exchange and interexchange telecommunications services in Idaho. On October 15, 2013, the Company supplemented its Application with additional information. These comments refer to these documents collectively as the "Application."

On November 27, 2013, the Commission issued a Notice of Application and Notice of Modified Procedure that asked interested persons to submit written comments by December 18, 2013. *See* Order No. 32931. Commission Staff submits these comments pursuant to that Order.

STAFF ANALYSIS

BCN Telecom is a New Jersey corporation that is authorized to do business in Idaho. Its principal place of business is in Bedminster, New Jersey. The Company is wholly owned by Telecom Acquisition Company, LLC and its registered agent for service in Idaho is Corporation Service Company. Application at 2-3.

BCN Telecom intends to provide telecommunication services as a local exchange service provider selling services on a wholesale and retail basis to residential and business customers. *Id.* 1-2. The Company has no plans to build facilities and proposes to provide resold and facilities-based local exchange services throughout Idaho in the geographic areas currently served by Qwest Communications [dba CenturyLink].

BCN Telecom proposes to offer all forms of intrastate telecommunications services including: (1) basic residential exchange services (local exchange flat rate, measured rate service, and operator assistance); (2) residential custom class features (call waiting, Caller ID, call forwarding, etc.); (3) adjunct provider features (voice message, etc.); and (4) residential ancillary services (911, directory listing, directory assistance, etc.). *Id.* at 4.

The Company plans to enter into interconnection and service arrangements with Qwest Corporation or other certificated facilities-based carriers. *Id.* It has not yet started to negotiate these agreements but intends to begin with Qwest in the near future. *Id.* at 6. The Company says it would offer service upon certification and approval of the interconnection agreements. *Id.* at 5.

The Company's supplemental information describes its management team's background and experience. The Company also provides financial information to support its Application. Proposed tariffs are also included. BCN Telecom says it has reviewed and will comply with the Commission's rules. *Id.* at 6.

RECOMMENDATION

Staff has reviewed BCN Telecom's Application for a CPCN and believes the Company understands and agrees to comply with the Commission rules and requirements. Based on this review, Staff believes BCN Telecom's filing fulfills the requirements of the Commission Rules and Procedural Order No. 26665. Staff believes BCN Telecom 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. BCN Telecom complies with number pooling and reporting requirements of the North American Numbering Plan Administrator, as set forth in Commission Order No. 30425;

2. BCN Telecom provides necessary reports, and contributions as appropriate to the Idaho Universal Service Fund, Idaho Telecommunications Relay System, Idaho Telecommunications Service Assistance Program, and complies with all future reporting requirements deemed appropriate by the Commission for competitive telecommunications providers.;

3. Prior to issuance of the Certificate, BCN Telecom files a final price list with all its rates, terms and conditions with the Commission; and

4. BCN Telecom will relinquish its Certificate and all telephone numbers if, within one year of issuance of a CPCN, the Company is not providing local exchange telecommunications service in Idaho.

Respectfully submitted this 18th day of December 2013.



Karl T. Klein
Deputy Attorney General

Technical Staff: Grace Seaman

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 18TH DAY OF DECEMBER 2013, SERVED THE FOREGOING **COMMENTS OF THE COMMISSION STAFF**, IN CASE NO. NUI-T-13-01, BY MAILING A COPY THEREOF, POSTAGE PREPAID, TO THE FOLLOWING:

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SECRETARY