

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF THE APPLICATION )**  
**OF OPTIX MEDIA L.L.C. FOR A ) CASE NO. OML-T-12-01**  
**CERTIFICATE OF PUBLIC )**  
**CONVENIENCE AND NECESSITY ) NOTICE OF APPLICATION**  
)  
) **NOTICE OF**  
) **MODIFIED PROCEDURE**  
)  
) **ORDER NO. 32475**

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YOU ARE HEREBY NOTIFIED that on January 26, 2012, Optix Media L.L.C. (“Optix Media” or “Company”) filed an Application, including a copy of its illustrative tariff, seeking a Certificate of Public Convenience and Necessity (“CPCN”), pursuant to *Idaho Code* §§ 61-526 through -528<sup>1</sup>, IDAPA 31.01.01.111 (Rule 111), and Procedural Order No. 26665, to provide competitive local exchange services in Idaho.

YOU ARE FURTHER NOTIFIED that Optix Media is an Idaho corporation and lists its principal place of business as Chubbuck, Idaho. Optix Media is registered with the Idaho Secretary of State and lists Brad McSpadden, 7964 Prospector Hollow, Pocatello, Idaho 83201, as its Idaho registered agent for service.

YOU ARE FURTHER NOTIFIED that the Company will operate as a facilities-based competitive local exchange carrier (“CLEC”) and plans to negotiate an interconnection agreement with CenturyLink to market services in conjunction with complementary services offered by its affiliate company HJ LLC, d/b/a Big Dog Internet (“HJ”).

YOU ARE FURTHER NOTIFIED that Optix Media intends to offer optically-based dedicated point-to-point and point-to-multipoint services including T1 and Ethernet-based services to business class customers.

YOU ARE FURTHER NOTIFIED that the Company plans to collocate in the CenturyLink Pocatello Central Office to gain access to copper circuits to supply ADSL, SDSL, and T1’s. Further deployment will involve remote terminals throughout the initial service territory of Pocatello, Blackfoot, Idaho Falls and Rexburg, Idaho.

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<sup>1</sup> Pursuant to the Idaho Telecommunications Act of 1988, specifically *Idaho Code* § 62-604(1)(a), Optix Media is exempt from Title 61 regulation.

YOU ARE FURTHER NOTIFIED that Optix Media has reviewed and agrees to comply with all Commission rules.

**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	Optix Media L.L.C.
Idaho Public Utilities Commission	4978 Rainbow Ln
PO Box 83720	Chubbuck, ID 83202
Boise, ID 83720-0074	E-mail: <a href="mailto:customerservice@optixmedia.net">customerservice@optixmedia.net</a>

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, specifically *Idaho Code* §§ 62-604 and 62-615. 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.

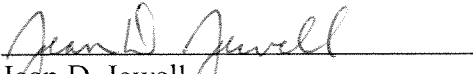
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 6<sup>th</sup>  
day of March 2012.

  
PAUL KJELLANDER, PRESIDENT

  
MACK A. REDFORD, COMMISSIONER

  
MARSHA H. SMITH, COMMISSIONER

ATTEST:

  
Jean D. Jewell  
Commission Secretary

O:OML-T-11-01\_np