

## DECISION MEMORANDUM

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

**FROM:** NEIL PRICE  
DEPUTY ATTORNEY GENERAL

**DATE:** MARCH 2, 2012

**RE:** APPLICATION OF OPTIX MEDIA FOR A CERTIFICATE OF PUBLIC  
CONVENIENCE AND NECESSITY, CASE NO. OML-T-12-01

On January 26, 2012, Optix Media L.L.C. (“Optix Media,” or “Company”) filed an Application, including a copy of its illustrative tariff, for 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 telecommunications services in Idaho. Application at 1.

### THE APPLICATION

Optix Media is an Idaho Limited Liability Company organized on December 19, 2011. The Company lists its principal place of business as Chubbuck, Idaho. *Id.* The Company 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. *Id.*

Optix Media states that it 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 dba Big Dog Internet (“HJ”).

The Company indicates that it will initially offer optically based dedicated point-to-point and point-to-multipoint services including T1 and Ethernet-based services to business class customers. The Company plans to collocate in the CenturyLink Pocatello Central Office to gain

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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.

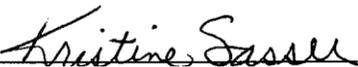
access to copper circuits to supply ADSL, SDSL, and T1s. Further deployment will involve remote terminals throughout the initial service territory of Pocatello, Blackfoot, Idaho Falls, and Rexburg.

**STAFF RECOMMENDATION**

Staff has reviewed Optix Media's Application and other supporting documentation and recommends that the Company's Application be processed through Modified Procedure with a 21-day comment period.

**COMMISSION DECISION**

Does the Commission wish to process Optix Media's Application for a Certificate of Public Convenience and Necessity through Modified Procedure with a 21-day comment period?

  
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for Neil Price  
Deputy Attorney General

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