

DECISION MEMORANDUM

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

FROM: WELDON STUTZMAN

DATE: MAY 27, 2004

**RE: CASE NO. ORB-T-03-1
APPLICATION OF ORBITCOM, INC. FOR A CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY**

On November 24, 2003, OrbitCom, Inc. filed an Application for a Certificate of Public Convenience and Necessity to provide facilities-based local exchange and interexchange telecommunication services within the State of Idaho. OrbitCom is a privately held corporation formed under the laws under the state of South Dakota and operates from its headquarters in that state. On May 11, 2004, the Commission issued a Notice of Application and Notice of Modified Procedure to process OrbitCom's Application.

Staff reviewed the Application filed by OrbitCom and filed written comments. Staff noted that OrbitCom intends to provide local exchange service and long-distance services only to areas served by Qwest Corporation. OrbitCom has been granted authority to provide local services in other states including Colorado, Wyoming and Montana. Staff reviewed the financial information provided by the Company and believes the Company is solvent. Staff states the Company's filing satisfies the requirements of the Commission's rules and procedural Order No. 26665 that sets forth the filing requirements for a CPCN for competitive local exchange carriers.

Staff recommends the Commission approve the Application of OrbitCom for a Certificate of Public Convenience and Necessity.

COMMISSION DECISION

Should the Application of OrbitCom for a Certificate of Public Convenience and Necessity to provide local exchange telecommunication services be approved?



Weldon Stutzman

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