

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

<b>IN THE MATTER OF THE APPLICATION</b>	)	
<b>OF ONEEIGHTY NETWORKS, INC. FOR A</b>	)	<b>CASE NO. OZ1-T-06-1</b>
<b>CERTIFICATE OF PUBLIC CONVENIENCE</b>	)	
<b>AND NECESSITY</b>	)	<b>NOTICE OF APPLICATION</b>
	)	
	)	<b>NOTICE OF MODIFIED</b>
	)	<b>PROCEDURE</b>
	)	
	)	<b>ORDER NO. 30042</b>
	)	

---

On April 3, 2006, OneEighty Networks, Inc. (OneEighty; Company) filed an Application with the Commission for a Certificate of Public Convenience and Necessity to provide facilities-based local exchange service in Idaho. With this Order the Commission authorizes the use of Modified Procedure to process the Company's Application as more fully set forth below.

**THE APPLICATION**

YOU ARE HEREBY NOTIFIED that according to the Company's Application OneEighty is a facilities-based regional provider of broadband Internet, private line, and hosting solutions offering services in the Post Falls/Coeur d'Alene area of northern Idaho and the Boise area of southern Idaho. The Application states that the Company primarily serves business and enterprise customers. OneEighty is a corporation formed in the State of Washington with a principal business address in Spokane, Washington. The Company is registered in Idaho as a foreign corporation and has a Certificate of Authority to transact business in the State of Idaho.

YOU ARE FURTHER NOTIFIED that the Application states the Company owns and operates one of the largest fiber optic networks in the region. The Company states that it currently provides broadband services in Spokane, Spokane Valley, Walla Walla, and the Tri-Cities areas in Washington, as well as in Post Falls and Coeur d'Alene, Idaho. The Application also indicates that the Company provides narrowband Internet services in the areas surrounding Spokane and Walla Walla, Washington; Pendleton, Bend, and Hermiston, Oregon; and Coeur d'Alene, Idaho. The Company proposes that, upon receipt of a Certificate for Idaho, it will use its existing fiber optic network, unbundled network elements, and resale services from Verizon,

NOTICE OF APPLICATION  
NOTICE OF MODIFIED PROCEDURE  
ORDER NO. 30042

Qwest, and other carriers to expand its product offerings to include Voice over Internet Protocol local exchange services, carrier access, and private line services as it expands into Idaho service territories.

YOU ARE FURTHER NOTIFIED that the Application together with supporting workpapers, testimonies and exhibits, have been filed with the Commission and are available for public inspection during regular business hours at the Commission offices. The Application and testimonies are also available on the Commission's Website at [www.puc.idaho.gov](http://www.puc.idaho.gov) under the "File Room" icon.

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

YOU ARE FURTHER NOTIFIED that the Commission has reviewed the filing of record in Case No. OZ1-T-06-1. The Commission has preliminarily determined that the public interest may not require a hearing to consider the issues presented in this case and that issues raised by the Company's filing may be processed under **Modified Procedure**, i.e., by written submission rather than by hearing. IDAPA 31.01.01.201-204. In so doing, 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 the Commission may not hold a hearing in this proceeding unless it receives written protests or comments opposing the use of Modified Procedure and stating why Modified Procedure should not be used. IDAPA 31.01.01.203.

YOU ARE FURTHER NOTIFIED that if no protests or written comments are received within the deadline, the Commission will consider the matter and enter its Order without a hearing. If protests or comments are filed within the deadline, the Commission will consider them and may, in its discretion, set the matter for hearing or decide the matter and issue its Order on the basis of the written positions before it. IDAPA 31.01.01.204.

YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission's jurisdiction under Title 61 of the Idaho Code and specifically *Idaho Code* § 61-526 through § 61-528. The Commission may enter any final Order consistent with its authority under Title 61.

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.*

## NOTICE OF COMMENT/PROTEST DEADLINE

YOU ARE FURTHER NOTIFIED that **the deadline for filing written comments or protests** with respect to the Application and the Commission's use of Modified Procedure in Case No. OZ1-T-06-1 is **June 5, 2006**. Persons desiring a hearing must specifically request a hearing in their written protests or comments.

YOU ARE FURTHER NOTIFIED that written comments concerning this case should be mailed to the Commission and to the Company at the addresses reflected below.

Commission Secretary  
Idaho Public Utilities Commission  
PO Box 83720  
Boise, ID 83720-0074

Street Address For Express Mail:  
472 W. Washington Street  
Boise, ID 83702-5983

Molly O'Leary  
Richardson & O'Leary, PLLC  
Attorney for OneEighty Networks, Inc.  
515 N. 27<sup>th</sup> Street  
Boise, ID 83702  
E-mail: [molly@richardsonandoleary.com](mailto:molly@richardsonandoleary.com)

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 homepage 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 address listed above.

## FINDINGS/CONCLUSIONS

The Commission has preliminarily determined that the public interest may not require a hearing to consider the issues presented in this case, and that issues raised by the Company's filing may be processed under **Modified Procedure**, i.e., by written submission rather than by hearing. IDAPA 31.01.01.201-204. In so doing, the Commission notes that Modified Procedure and written comments have proven to be an effective means for obtaining public input and participation.

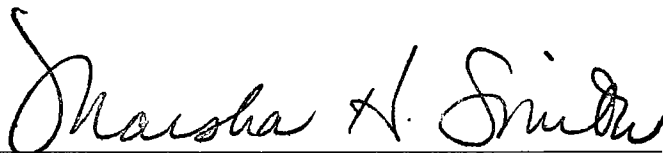
## ORDER

IT IS HERBY ORDERED that this case 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 June 5, 2006.

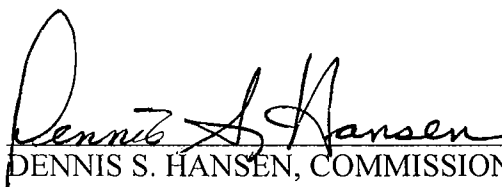
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 17<sup>th</sup>  
day of May 2006.



PAUL KJELLANDER, PRESIDENT

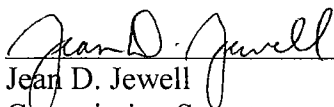


MARSHA H. SMITH, COMMISSIONER



DENNIS S. HANSEN, COMMISSIONER

ATTEST:



Jean D. Jewell  
Commission Secretary

O:OZ1-T-06-01\_dw