

DONOVAN E. WALKER  
DEPUTY ATTORNEY GENERAL  
IDAHO PUBLIC UTILITIES COMMISSION  
PO BOX 83720  
BOISE, IDAHO 83720-0074  
(208) 334-0357  
IDAHO BAR NO. 5921

6-5-06  
CLERK OF DISTRICT COURT  
IDAHO PUBLIC UTILITIES COMMISSION

Street Address for Express Mail:  
472 W. WASHINGTON  
BOISE, IDAHO 83702-5983

## 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>COMMENTS OF THE</b>
	)	<b>COMMISSION STAFF</b>
	)	

---

The Staff of the Idaho Public Utilities Commission, by and through its Attorney of record, Donovan E. Walker, Deputy Attorney General, in response to the Notice of Application and Notice of Modified Procedure in Order No. 30042 issued on May 17, 2006, submits the following comments.

### BACKGROUND

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. On May 17, 2006, the Commission issued a Notice of Modified Procedure seeking comments regarding the Company's Application.

### STAFF ANALYSIS

Staff has reviewed the information provided by OneEighty in its Application and believes it satisfies the requirements of the Commission's Rule of Procedure 111, IDAPA

31.01.01.111, and Procedural Order No. 26665 issued November 7, 1996, which sets out the necessary information to be included with an application for a certificate. OneEighty's Application includes all of the required information.

The Application stated OneEighty will offer telecommunications services using its own network in combination with unbundled elements and resale of the services of the incumbent local exchange carrier in Idaho. The Company will initially focus on serving the North Idaho area currently served by Verizon, and expand to other locations as the market allows. The Company will initially provide services to businesses, and expand into residential market when economically feasible.

The Company entered into an interconnection agreement with Verizon, which was approved by this Commission in Order No. 29047 on June 10, 2002.

OneEighty has its own switch located in Spokane, and owns a large fiber optic network that extends into Idaho. The Application included unaudited financial information for 2005 and projections for 2006. Staff is satisfied that the Company has the technical, managerial and financial strength to provide the services identified in the Application.

OneEighty specifically stated in its Application it will comply with all Commission rules. It has provided an illustrative tariff with its Application that demonstrates an understanding of tariff requirements and processes. The Company will not require advance deposits by its customers and therefore did not submit an executed copy of an escrow account.

#### **STAFF RECOMMENDATION**

Staff recommends that a Certificate of Public Convenience and Necessity to provide competitive local exchange service in Idaho be granted to OneEighty.

Respectfully submitted this 5<sup>th</sup> day of June 2006.



Donovan E. Walker  
Deputy Attorney General

Technical Staff: Wayne Hart

i:umisc:comments/oz1t06.lcgwh

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 5<sup>TH</sup> DAY OF JUNE 2006, SERVED THE FOREGOING **COMMENTS OF THE COMMISSION STAFF**, IN CASE NO. OZ1-T-06-01, BY MAILING A COPY THEREOF, POSTAGE PREPAID, TO THE FOLLOWING:

MOLLY O'LEARY  
RICHARDSON & O'LEARY PLLC  
515 N 27<sup>TH</sup> ST  
BOISE ID 83702

  
\_\_\_\_\_  
SECRETARY

CERTIFICATE OF SERVICE