DECISION MEMORANDUM

TO:COMMISSIONER HANSEN

COMMISSIONER NELSON

COMMISSIONER SMITH

MYRNA WALTERS

TONYA CLARK

DON HOWELL

STEPHANIE MILLER

DAVE SCHUNKE

JOE CUSICK

DAVID SCOTT

WORKING FILE

FROM:WELDON STUTZMAN

DATE:May 28, 1997

RE:CASE NO.  PFI-T-96-1

NOTICE OF WITHDRAWAL OF APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY BY BROOKS FIBER

On July 16, 1996, Phoenix Fiber Link of Idaho, Inc. (PFI) filed an Application for a Certificate of Public Convenience and Necessity to provide local exchange telecommunications service in Idaho.  Following the merger of PFI with Brooks Fiber Communications, PFI on April 22, 1997 filed an amended Application requesting that authorization be provided in the name of Brooks Fiber.  After processing the Application by Modified Procedure, the Commission at a recent decision meeting approved Brooks Fiber’s Application.  However, on May 22, 1997, Brooks Fiber provided written notice to the Commission Secretary that it is withdrawing its Application in Case No. PFI-T-96-1.  According to the notice, “Brooks has conducted a thorough review of the Idaho market and its construction plans and has decided that it will not proceed to construct a telecommunications network in Idaho at this time.”

Commission Decision:

Should the Commission issue an Order approving the withdrawal of the Application of Brooks Fiber and closing this case?

Weldon Stutzman

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