DECISION MEMORANDUM

TO:COMMISSIONER HANSEN

COMMISSIONER NELSON

COMMISSIONER SMITH

MYRNA WALTERS

STEPHANIE MILLER

DAVID SCHUNKE

DON HOWELL

WELDON STUTZMAN

JOE CUSICK

BILL EASTLAKE

BIRDELLE BROWN

CAROLEE HALL

DAVID SCOTT

BEVERLY BARKER

CAROL COOPER

TONYA CLARK

WORKING FILE

FROM:WAYNE HART

DATE:OCTOBER 10, 1997

RE:JOINT APPLICATIONS OF U S WEST AND SILVER STAR TELEPHONE COMPANY, COLUMBINE TELEPHONE COMPANY, INC., CAMBRIDGE TELEPHONE COMPANY, COUNCIL TELEPHONE COMPANY, DIRECT COMMUNICATIONS ROCKLAND, INC., DIRECT COMMUNICATIONS LAKESIDE, INC., FARMERS MUTUAL TELEPHONE COOPERATIVE, FREMONT TELCOM CO., PROJECT MUTUAL TELEPHONE COOPERATIVE ASSOCIATION, INC., MIDVALE TELEPHONE EXCHANGE, INC., SAWTOOTH TELEPHONE, INC., AND ALBION TELEPHONE COMPANY, WESTEL, INC.  FOR AMENDED CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AND CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY.  USW-T-97-17 / COL-T-97-1 / COU-T-97-1 /

DCL-T-97-1 / FMT-T-97-1 / FRE-T-97-1 / PRJ-T-97-1 / SAW-T-97-1 /

WTL-T-97-1.

BACKGROUND

On September 4, 1997, U S WEST Communications, Inc. (U S WEST), Silver Star Telephone Company, Columbine Telephone Company, Inc. (Columbine), Cambridge Telephone Company, Council Telephone Company (Council), Direct Communications Rockland, Inc., Direct Communications Lakeside, Inc. (Lakeside), Farmers Mutual Telephone Cooperative (Farmers), Fremont Telcom Co. (Fremont), Project Mutual Telephone Cooperative

Association, Inc. (Project Mutual), Midvale Telephone Exchange, Inc., Sawtooth Telephone, Inc. (Sawtooth), Albion Telephone Company and Westel, Inc. (Westel) filed joint applications for an Amended Certificate of Public Convenience and Necessity for U S WEST and new Certificates of Public Convenience and Necessity for Columbine, Council, Lakeside, Farmers, Fremont, Project Mutual, Sawtooth and Westel.  The applications were filed in compliance with the Commission’s Order No. 26353, which approved the sale by U S WEST of ten exchanges in Southern Idaho.

Order No. 26353 required U S WEST to amend its Certificate of Public Convenience and Necessity to reflect the sale of the transferred exchanges, and required the purchasers to file to include the purchased exchanges within the purchaser’s certificated service area.  These applications were made to comply with these requirements.

In the applications, the Companies indicate the purchases and sales have been consummated and the purchasers have assumed control of the sold exchanges.  The applications include maps and legal descriptions of the boundaries of the sold exchanges.

In addition, Fremont and Westel have requested the inclusion of contiguous and unserved areas in their respective certificated areas.

STAFF ANALYSIS

Staff reviewed the legal descriptions and boundaries contained in the applications and believes they accurately represent the exchanges that are being transferred.  Staff reviewed the additional areas requested by Fremont and Westel and concurs with the designation of such areas as being contiguous and unserved.

STAFF RECOMMENDATION

As two of these applications ask for area in addition to that specified in the previous Commission order, Staff recommends the Commission process these applications under Modified Procedure with a 21-day comment period.

COMMISSION DECISION

Does the Commission agree?

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Wayne Hart

wh:salecert.dm/udmemos