

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF THE APPLICATION OF)
RCLEC, INC. FOR REGISTRATION AS A) CASE NO. RCL-T-15-01
WHOLESALE TELECOMMUNICATIONS)
PROVIDER IN IDAHO.) ORDER NO. 33413**

On February 12, 2015, RCLEC, Inc. applied for registration/certification as a wholesale provider of telecommunications service in Idaho pursuant to Order No. 32277 and procedural Rule 114. Application at 1. On April 28, 2015, the Company filed an Amended Application. The Commission issued a Notice of Application and Notice of Modified Procedure with a 21-day comment period. Order No. 33329. Commission Staff was the only party to submit written comments.

THE APPLICATION

RCLEC states that it intends to provide “facilities-based/UNE local exchange and interexchange services and resold local exchange and interexchange services on a wholesale basis to other providers utilizing the facilities of incumbent local exchange carriers or other competitive facilities-based carriers.” Amended Application at 4. The Company states further that it “has no plans to build outside plant or loop distribution equipment at the current time.” *Id.* RCLEC identifies itself as a Delaware corporation, lists its principal business address in Belmont, California, and says it does not maintain an Idaho place of business. *Id.* at 1-2. It is registered with the Idaho Secretary of State as a foreign corporation, and lists Incorp Services, Inc., 1524 Vista Avenue, Suite 12, Boise, ID 83705, as its Idaho registered agent for service. *Id.* The Company says it is a wholly owned subsidiary of RingCentral, Inc., and it outlines its corporate structure and lists information for its subsidiaries, officers, and directors. *Id.* at 1-2, Exhibits A-C.

In the Amended Application, the Company says it has not begun to negotiate any interconnection agreements with other telecommunication carriers, but that it will do so once it has been granted registration authority by the Commission. *Id.* RCLEC represents that it will seek Commission approval of any ensuing interconnection agreements. *Id.* Consistent with Rule 114, the Company provided contact information for customer complaints and for Commission inquiries regarding price lists, tariffs, and general questions. *Id.*

RCLEC further agrees to comply with all of the Commission's rules. *Id.* The Company also acknowledges that it "shall be subject to numbering conservation measures including mandatory one thousand (1,000) block pooling [of telephone numbers]." *Id.*

STAFF COMMENTS

Staff reviewed RCLEC's Application and believes that the Company understands Commission Rule of Procedure 114 and Order No. 32277. Comments at 2. Staff also believes that it possesses the requisite financial, managerial, and technical qualifications necessary to operate as a provider of telecommunications services. *Id.* Staff recommended the Commission approve RCLEC as a registered wholesale communications provider subject to the following conditions:

1. RCLEC shall comply with all number pooling and reporting requirements of the North American Numbering Plan Administrator, as set forth in Commission Order No. 30425;
2. RCLEC shall provide all necessary reports and contribute as appropriate to the Idaho Universal Service Fund, Idaho Telecommunications Relay System, and the Idaho Telecommunications Service Assistance Program; and
3. RCLEC shall comply with all future reporting requirements deemed appropriate by the Commission for wholesale or competitive telecommunications providers.

COMMISSION FINDINGS

In 2011, the Commission investigated whether to adopt a "certification process . . . for Title 62 telecommunications providers that do not provide basic local exchange service." Order No. 32277 at 2. After considering comments and recommendations from several telecommunications companies operating in Idaho, the Commission determined it necessary to establish a "registration or certification process for telecommunications companies that do not provide basic local exchange service, as defined by state law." *Id.* at 8. The Commission concluded such process would "enable those companies to access important rights or privileges identified in the federal Telecommunications Act as they enter the telecommunications markets in Idaho." *Id.* Accordingly, the Commission held that telecommunications companies "that do not intend to provide basic local exchange service but request Commission registration may file an application pursuant to Rule 114, with minor modification to eliminate information required

by the Rule relating to retail basic local exchange service.” *Id.* “A company that completes the application process as required in Rule 114, Section[s] 1 and . . . 5 through 8, will be recognized by the Commission as having successfully registered as a wholesale provider of telecommunications services in Idaho.” *Id.*

The Commission has reviewed and considered the record in this case, including RCLEC’s Application and attached exhibits, and Staff comments. The Commission finds that RCLEC is a wholesale telecommunications provider and has demonstrated a willingness and commitment “to comply with all Idaho laws and Commission rules and regulations,” including adherence to “mandatory one thousand (1,000) block pooling.” Application at 5, and Sworn Verification, Exhibit D to Application. The Commission further finds that RCLEC’s Application comports with Commission Rule of Procedure 114 and Order No. 32277. The Commission thus approves RCLEC’s Application for registration or certification as a wholesale telecommunications provider in Idaho, subject to the conditions specified above.

ORDER

IT IS HEREBY ORDERED that the Commission approves the Application of RCLEC, Inc. for registration/certification as a wholesale telecommunications provider in Idaho.

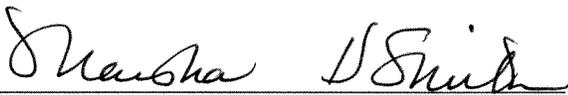
IT IS FURTHER ORDERED that RCLEC’s certification shall be subject to the following conditions: (1) comply with all number pooling and reporting requirements of the North American Numbering Plan Administrator, as set forth in Commission Order No. 30425; (2) provide all necessary reports and contribute as appropriate to the Idaho Universal Service Fund, Idaho Telecommunications Relay System, and the Idaho Telecommunications Service Assistance Program; and (3) comply with all future reporting requirements deemed appropriate by the Commission for competitive telecommunications providers.

THIS IS A FINAL ORDER. Any person interested in the Order may petition for reconsideration within twenty-one (21) days of the service date of this Order with regard to any matter decided in this Order. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. *See Idaho Code* §§ 62-619, 61-626.

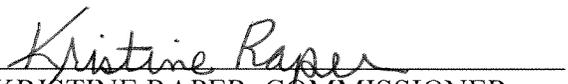
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 3rd
day of November 2015.



PAUL KJELLANDER, PRESIDENT

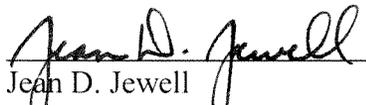


MARSHA H. SMITH, COMMISSIONER



KRISTINE RAPER, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

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