DECISION MEMORANDUM

TO:COMMISSIONER HANSEN

COMMISSIONER NELSON

COMMISSIONER SMITH

MYRNA WALTERS

RITA SCOTT

STEPHANIE MILLER

JOE CUSICK

DON HOWELL

BEV BARKER

DAVID SCOTT

KAREN SNYDER

WORKING FILE

FROM:CHERI C. COPSEY

DATE:AUGUST 7, 1998

RE:IN THE MATTER OF THE ADOPTION OF TEMPORARY AND PROPOSED RULES GOVERNING ACCESS AND INTERCONNECTION IN UNSERVED AREAS, IDAPA 31.42.01.401 ET SEQ. -- RULEMAKING DOCKET NO.  31-4201-9801.

Staff believes that temporary rules are necessary to promote the public welfare by guaranteeing all telephone customers have basic local exchange service provider choices in those areas served by non-incumbent, facilities-based competitive telephone corporations and proposes that the Commission adopt the temporary rules found in Appendix A.  Staff believes these rules are necessary to protect the public welfare because they promote basic local exchange service provider choices for telephone customers located in areas served only by non-incumbent, facilities-based telephone corporations and will discourage the development of non-price regulated monopolies.  These rules set standards for providing access and interconnection in unserved areas.

The Commission has authority to promulgate these rules pursuant to Idaho Code §§ 62-602, 62-606, 62-611, 62-614, 62-615, 62-616 and 62-622 and to adopt them as temporary rules, effective immediately, underIdaho Code § 67-5226, IDAPA 04.11.01.840. The updated rules are in legislative format and are attached for your review.

Commission Decision

Does the Commission want to adopt interconnection and access standards for facilities-based telephone corporation competitors that provide basic local service in unserved areas as temporary rules, effective immediately, and to give notice of a proposed rulemaking?

Cheri C. Copsey