

JOHN R. HAMMOND  
DEPUTY ATTORNEY GENERAL  
IDAHO PUBLIC UTILITIES COMMISSION  
PO BOX 83720  
BOISE, IDAHO 83720-0074  
(208) 334-0357  
IDAHO BAR NO. 5470

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Street Address for Express Mail:  
472 W WASHINGTON  
BOISE ID 83702-5983

Attorney for the Commission Staff

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF THE APPLICATION OF )  
SOUTHWESTERN BELL COMMUNICATIONS ) CASE NO. SBC-T-04-1  
SERVICES, INC. DBA SBC LONG DISTANCE )  
FOR A CERTIFICATE OF PUBLIC CONVENI- )  
ENCE AND NECESSITY TO PROVIDE LOCAL ) COMMENTS OF THE  
EXCHANGE TELECOMMUNICATIONS ) COMMISSION STAFF  
SERVICES. )  
\_\_\_\_\_ )**

**COMES NOW** the Staff of the Idaho Public Utilities Commission, by and through its Attorney of record, John R. Hammond, Deputy Attorney General, in response to Order No. 29449, the Notice of Application and Notice of Modified Procedure in Case No. SBC-T-04-1 issued on March 22, 2004, submits the following comments on Southwestern Bell Communications Services, Inc.'s (Southwestern; Company) Application for a Certificate of Public Convenience and Necessity (CPCN).

**BACKGROUND**

On February 20, 2004, Southwestern Bell Communications Services Inc. dba SBC Long Distance ("SBCS") filed an Application for a Certificate of Public Convenience and Necessity to provide resold and facilities-based local exchange and exchange access service within the State of Idaho. SBCS is a wholly owned subsidiary of SBC Communications, Inc. SBCS operates as a separate entity from its parent corporation, and does not maintain a management agreement with its parent. SBCS is organized under the laws of Delaware. The Company has filed a copy of its Certificate of Authority issued by the Idaho Secretary of State.

Staff has reviewed the information provided by SBCS 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.

The application indicated SBCS intended to provide basic resold and facilities based local exchange services to both residential and commercial customers and exchange access services to interconnecting carriers. The application indicated the Company did not intend to initially construct facilities, but that the Company would initially provide services primarily via the unbundled network elements and resold services. The application indicated the Company would initially provide service in the area currently served by Qwest and Verizon, but that the applicant may, in the future, compete against all incumbent local exchange carriers.

SBCS is a telecommunications company that has been granted authority to provide long distance services nationwide, including Idaho. The Company is seeking certification to provide competitive local exchange serviced in all 37 states outside of its parent corporation's incumbent local exchange carrier service territory. The application indicated Colorado and Vermont had approved the Company's applications, with applications pending in 16 other states and the District of Columbia.

The application included financial information about the parent company that indicated the Company was in a strong financial position. Staff is satisfied that the Company has the technical, managerial and financial strength to provide the services identified in the application.

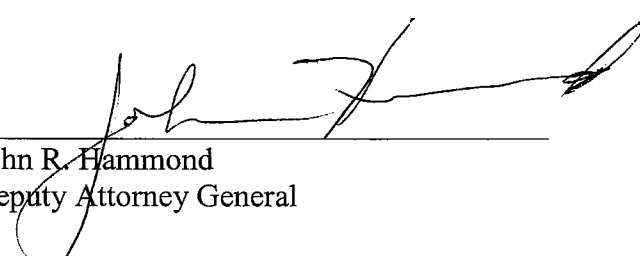
SBCS specifically indicated in its application it will comply with all Commission rules. It has provided an illustrative tariff with its application that demonstrates an understanding of tariff requirements and processes.

#### **STAFF RECOMMENDATION**

Staff recommends that a Certificate of Public Convenience and Necessity to provide competitive local exchange service in Idaho be provided to Southwestern Bell Communications Services, Inc.

**Respectfully** submitted this

*8* <sup>*12*</sup> day of April 2004.

  
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John R. Hammond  
Deputy Attorney General

Technical Staff: Wayne Hart

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## CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 12TH DAY OF APRIL 2004, SERVED THE FOREGOING **COMMENTS OF THE COMMISSION STAFF**, IN CASE NO. SBC-T-04-1, BY MAILING A COPY THEREOF, POSTAGE PREPAID, TO THE FOLLOWING:

STACEY A KLINZMAN  
DIRECTOR – REGULATORY  
COMPLIANCE  
MILLER ISAR INC  
7901 SKANSIE AVE, STE 240  
GIG HARBOR, WA 98335  
E-mail: [sklinzman@millerisar.com](mailto:sklinzman@millerisar.com)

NORMAN W DESCOTEAUX  
ASSOCIATE DIRECTOR REGULATORY  
SOUTHWESTERN BELL  
COMMUNICATIONS INC.  
5850 W LAS POSITAS BLVD  
PLEASANTON, CA 94588  
E-mail: [nd1639@camail.sbc.com](mailto:nd1639@camail.sbc.com)

  
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SECRETARY