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Attorney for the Commission Staff

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF THE APPLICATION OF )  
TC SYSTEMS, INC. TO REGISTER AS A )  
WHOLESALE TELECOMMUNICATIONS )  
PROVIDER IN IDAHO )**

**CASE NO. TCS-T-11-01**

**COMMENTS OF THE  
COMMISSION STAFF**

**COMES NOW** the Staff of the Idaho Public Utilities Commission, by and through its attorney of record, Neil Price, Deputy Attorney General, and in response to the Notice of Application and Notice of Modified Procedure issued in Order No. 32442 on January 19, 2012, in Case No. TCS-T-11-01, submits the following comments.

**BACKGROUND**

On November 22, 2011, TC Systems, Inc. ("TCS" or "Company") filed an Application with the Commission, pursuant to Commission Rule 114, IDAPA 31.01.01.114 and Procedural Order No. 32277 (Case No. GNR-T-11-01), to register as a wholesale provider of telecommunications services within the State of Idaho.

TCS is a competitive telecommunications company that intends to offer wholesale transport service to one of its affiliates in the state of Idaho. TCS is a Delaware corporation and lists its principal place of business as Bedminster, NJ.

## **STAFF ANALYSIS**

TCS is a wholly-owned subsidiary of TCG New York, Inc., which is in turn wholly owned by Teleport Communications Group Inc. ("Teleport"). Teleport is a wholly-owned subsidiary of AT&T Corp., and AT&T Corp. is a wholly-owned subsidiary of AT&T Inc.

With the Application, TCS provided a copy of the Delaware Certificate of Incorporation and the Idaho Secretary of State's Certificate of Authority. The Company's registered agent for service in Idaho is CT Corporation System.

TCS states it has contacted CenturyLink and intends to negotiate an agreement to interconnect with CenturyLink's network.

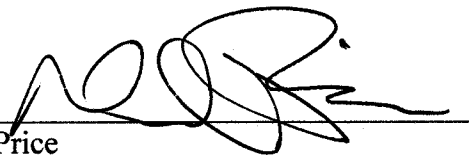
The Company asserts that it has reviewed the Commission's rules governing telecommunications services in Idaho and commits to providing service in accordance with these rules to the extent they are not preempted by federal law. The Company also acknowledges that, as a non-paging telecommunications carrier in Idaho, it will be subject to numbering conservation measures, including mandatory one thousand (1,000) block pooling pursuant to Commission Rule of Procedure 114.08 and Commission Order No. 30425.

## **STAFF RECOMMENDATION**

Staff has reviewed the Application by TCS for compliance with applicable legal requirements to be registered as a wholesale provider of telecommunications services in Idaho and believes the Company understands and agrees to comply with Commission Rule of Procedure 114 and Commission Order No. 32277. Staff also believes that the Company possesses the requisite financial, managerial, and technical qualifications necessary to operate as a provider of telecommunications services. Staff, therefore, recommends Commission approval that TCS has successfully registered as a wholesale communications provider subject to the following conditions:

1. The Company complies with number pooling and reporting requirements of the North American Numbering Plan Administrator, as set forth in Commission Order No. 30425; and
2. TCS provides necessary reports and contributes as appropriate to the Idaho Universal Service Fund, Idaho Telecommunications Relay System, Idaho Telecommunications Service Assistance Program, and complies with all future reporting requirements deemed appropriate by the Commission for competitive telecommunications providers.

Respectfully submitted this 9th day of February 2012.

  
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Neil Price  
Deputy Attorney General

Technical Staff: Grace Seaman

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## CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 9<sup>TH</sup> DAY OF FEBRUARY 2012, SERVED THE FOREGOING **COMMENTS OF THE COMMISSION STAFF**, IN CASE NO. TCS-T-11-01, BY MAILING A COPY THEREOF, POSTAGE PREPAID, TO THE FOLLOWING:

JOHN SISEMORE  
TC SYSTEMS INC  
208 S AKARD ROOM 2532  
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SECRETARY

CERTIFICATE OF SERVICE