

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)	
OF TIME WARNER CABLE INFORMATION)	CASE NO. TIM-T-08-01
SERVICES (IDAHO), LLC FOR A)	
CERTIFICATE OF PUBLIC CONVENIENCE)	NOTICE OF
AND NECESSITY TO PROVIDE LOCAL)	RECONSIDERATION SCHEDULE
EXCHANGE AND INTEREXCHANGE)	
TELECOMMUNICATIONS SERVICES)	NOTICE OF HEARING
WITHIN THE STATE OF IDAHO)	
)	ORDER NO. 31043

PROCEDURAL BACKGROUND

On November 14, 2008, Time Warner Cable Information Services (Idaho), LLC ("TWCIS" or "Company") filed an Application for a Certificate of Public Convenience and Necessity (CPCN) pursuant to *Idaho Code* §§ 61-526 through -528, IDAPA 31.01.01.111 and Commission Order No. 26665 to provide competitive facilities-based local and interexchange telecommunications services within the State of Idaho. Staff and representatives of TWCIS entered into a prolonged period of discussions regarding the Company's initial Application. On November 14, 2009, the Company filed a supplement to its Application.

On December 4, 2009, the Commission issued a Notice of Application and Modified Procedure. Commission Staff was the only party to submit written comments regarding TWCIS' Application. Subsequently, Staff and representatives of the Company entered into another series of discussions during which the parties agreed that TWCIS would be permitted to issue a written reply to Staff's comments. On January 29, 2010, TWCIS submitted a written response to Staff's comments.

On February 23, 2010, the Commission issued an Order denying TWCIS' Application for a CPCN. *See* Order No. 31012. On March 16, 2010, TWCIS filed a Petition for Reconsideration of the Commission's Order. On March 23, 2010, Staff filed its Answer to TWCIS' Petition for Reconsideration.

COMMISSION DECISION

Pursuant to *Idaho Code* § 61-626(2), "within twenty-eight (28) days after the filing of a petition for reconsideration the Commission shall determine whether or not it will grant such reconsideration, and make and enter its order accordingly. If reconsideration be granted, said

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order shall specify how the matter will be reconsidered. . . .” The Commission must complete its reconsideration, whether it be through a rehearing, or the filing of written briefs, comments, or interrogatories, within 13 weeks after the deadline for filing petitions for reconsideration. *Id.* The Commission must then issue an order upon reconsideration within 28 days after the matter is finally submitted. *Id.*; IDAPA 31.01.01.331-332.

The Commission has determined that due to the factual nature and relative complexity of the issues associated with TWCIS’ Petition for Reconsideration and Staff’s Answer, we must conduct a more thorough review of the existing record. Additionally, the Commission finds that it is reasonable and necessary to augment the existing record through the submission of supplemental testimony from the parties and a hearing on the issues. Specifically, the Commission seeks written testimony pertaining to TWCIS’ potential for access to interconnection with the networks and facilities of incumbent local exchange carriers (ILECs) in Idaho.

NOTICE OF RECONSIDERATION SCHEDULE

YOU ARE HEREBY NOTIFIED that the Commission has adopted the following schedule upon reconsideration:

TWCIS Direct Testimony	No later than May 13, 2010
Staff Rebuttal Testimony	No later than May 27, 2010

NOTICE OF HEARING

YOU ARE FURTHER NOTIFIED that the Commission will conduct a hearing in Case No. TIM-T-08-01 commencing on **THURSDAY, JUNE 10, 2010, AT 9:30 A.M. IN THE COMMISSION HEARING ROOM, 472 WEST WASHINGTON, BOISE, IDAHO.**

YOU ARE FURTHER NOTIFIED that the hearing in this matter will be held in facilities meeting the accessibility requirements of the Americans with Disabilities Act (ADA). Persons needing the help of a sign language interpreter or other assistance in order to participate in or to understand testimony and argument at a public hearing may ask the Commission to provide a sign language interpreter or other assistance at the hearing. The request for assistance must be received at least five (5) working days before the hearing by contacting the Commission Secretary at:

IDAHO PUBLIC UTILITIES COMMISSION
PO BOX 83720
BOISE, IDAHO 83720-0074
(208) 334-0338 (Telephone)
(208) 334-3762 (FAX)
E-mail: secretary@puc.idaho.gov

YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission's jurisdiction under Title 61 of the Idaho Code and that the Commission may enter any final Order consistent with its authority under Title 61.

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*


ORDER

IT IS HEREBY ORDERED that Time Warner Cable Information Services (Idaho), LLC's Petition for Reconsideration of Order No. 31012 is granted for the limited purpose of obtaining additional information in the form of direct testimony and to convene a hearing.

IT IS FURTHER ORDERED that the parties shall submit written testimony with the Commission in accordance with the schedule outlined above.

IT IS FURTHER ORDERED that a hearing on this matter will take place on June 10, 2010, at 9:30 a.m. in the Commission Hearing Room, Boise, Idaho.


DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 13th day of April 2010.


JIM D. KEMPTON, PRESIDENT


MARSHA H. SMITH, COMMISSIONER


MACK A. REDFORD, COMMISSIONER

ATTEST:


Jean D. Jewell
Commission Secretary

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