

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF THE APPLICATION )**  
**OF TIME WARNER CABLE )** **CASE NO. TIM-T-11-01**  
**INFORMATION SERVICES (IDAHO), LLC )**  
**FOR CERTIFICATION AS A WHOLESALE )**  
**COMMUNICATIONS PROVIDER IN )** **ORDER NO. 32417**  
**IDAHO )**  
**\_\_\_\_\_ )**

On September 29, 2011, Time Warner Cable Information Services (Idaho), LLC (“TWCIS” or “Company”) filed an Application for Certification as a wholesale communications provider in Idaho pursuant to Commission Order No. 32277 in Case No. GNR-T-11-01, Commission Rule of Procedure 114 and Title 62 of the Idaho Code. *Application* at 1.

On November 9, 2011, the Commission issued a Notice of Application and Notice of Modified Procedure with a 21-day comment period. *See* Order No. 32396. Commission Staff (“Staff”) was the only party to submit written comments within the established comment period.

**THE APPLICATION**

TWCIS is a Delaware corporation and lists New York City, New York as its principal place of business. *Id.* at 1-2. TWCIS is registered with the Idaho Secretary of State as a foreign corporation and lists CT Corporation System, 300 N. 6<sup>th</sup> Street, Boise, Idaho 83702, as its Idaho registered agent for service. *Id.* at 2, Exhibits 2(a-c).

In its Application, TWCIS stated that the Company “intends to offer intrastate telecommunications services for commercial and wholesale customers statewide.” *Id.* at 1. “Such services may include point to point, private line, access and transport services.” *Id.*

TWCIS has signed an interconnection agreement with Frontier Communications Northwest, Inc. *Id.* at 4. The Company “acknowledges that [, pursuant to Commission Rule of Procedure 114.08 and Commission Order No. 30425,] non-paging telecommunications carriers with telephone numbering resources in Idaho shall be subject to numbering conservation measures, including mandatory one thousand (1,000) block pooling.” *Id.* The Company agrees to comply with all of the Commission’s Rules and Procedures. *Id.*

## STAFF COMMENTS

Staff reviewed TWCIS' Application for compliance with the applicable legal requirements to become a certified wholesale provider of telecommunications services in Idaho. Staff believes that the Company understands and agrees to comply with Commission Rules 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 recommended Commission approval of TWCIS' Application for Certification as a wholesale communications provider in Idaho, subject to the following conditions:

1. TWCIS should comply with all number pooling and reporting requirements of the North American Numbering Plan Administrator, as set forth in Commission Order No. 30425;
2. TWCIS should 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. TWCIS should comply with all future reporting requirements deemed appropriate by the Commission for competitive telecommunications providers.

## COMMISSION FINDINGS AND DECISION

In Case No. GNR-T-11-01, the Commission "opened a docket to investigate whether some sort of certification process is appropriate for Title 62 telecommunications providers that do not provide basic local exchange service." Order No. 32277 at 2. The Commission received written comments from telecommunications providers, Qwest Communications Company, LLC, 360networks (USA), Inc., AT&T Communications of the Mountain States, Inc., TWCIS, and the Commission Staff. The parties recommended that the Commission institute a certification or registration process to allow wholesale telecommunications providers that provide service that does not meet the definition of basic local exchange service "to be recognized as eligible to provide services in Idaho." *Id.* at 3.

Accordingly, the Commission ruled that "registration or certification of telecommunications companies that do not provide basic local exchange service, as defined by state law, is necessary to enable those companies to access important rights or privileges

identified in the federal Telecommunications Act as they enter the telecommunications markets in Idaho.” *Id.* at 8. “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 1 and Sections 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 finds that TWCIS is a wholesale telecommunications provider and has demonstrated a willingness and commitment “to adhere to number pooling and reporting requirements to assist the Commission in preserving numbers.” Order No. 32277 at 8. Based upon our review of TWCIS’ Application and the record in this case, the Commission finds that TWCIS’ filing comports with Commission Rule of Procedure 114 and Order No. 32277. Therefore, the Commission approves TWCIS’ Application for Certification as a wholesale communications provider in Idaho, subject to specific conditions more fully described below.

### **ORDER**

IT IS HEREBY ORDERED that the Application of Time Warner Cable Information Services (Idaho), LLC for Certification as a wholesale communications provider in Idaho is approved.

IT IS FURTHER ORDERED that TWCIS’ Certification as a wholesale communications provider shall be subject to the following conditions: (1) TWCIS 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) TWCIS 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) TWCIS shall comply with all future reporting requirements deemed appropriate by the Commission for competitive telecommunications providers.

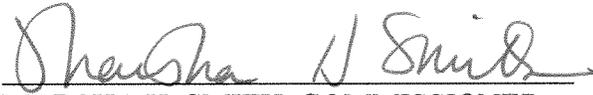
THIS IS A FINAL ORDER. Any person interested in the Order may petition for reconsideration within twenty-one (21) days of the service date of this Order with regard to any matter decided in this Order. Within seven (7) days after any person has petitioned for

reconsideration, any other person may cross-petition for reconsideration. *See Idaho Code § 61-626.*

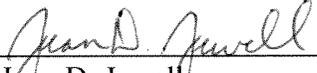
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 16<sup>th</sup> day of December 2011.

  
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PAUL KJELLANDER, PRESIDENT

  
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MACK A. REDFORD, COMMISSIONER

  
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MARSHA H. SMITH, COMMISSIONER

ATTEST:

  
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Jean D. Jewell  
Commission Secretary

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