DECISION MEMORANDUM

TO:COMMISSIONER HANSEN

COMMISSIONER NELSON

COMMISSIONER SMITH

MYRNA WALTERS

TONYA CLARK

DON HOWELL

STEPHANIE MILLER

DAVE SCHUNKE

JOE CUSICK

BIRDELLE BROWN

WAYNE HART

BILL EASTLAKE

BEVERLY BARKER

DAVID SCOTT

WORKING FILE

FROM:BRAD PURDY

DATE:JUNE 9, 1997

RE:CASE NO. TLI-T-97-1; APPLICATION OF TEL-LINK OF IDAHO FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OFFER COMPETITIVE LOCAL EXCHANGE SERVICE

On March 24, 1997, Tel-Link of Idaho (Tel-Link) filed an Application with the Commission for authority to provide local exchange and long distance telecommunications services through resale within the state of Idaho.  Specifically, Tel-Link proposes to offer prepaid local telecommunications resale services to consumers (1) who have been disconnected by the incumbent local exchange carrier, or by competitive local exchange carriers, for non-payment or (2) who have failed to meet such carriers’ applicable credit standards.  Tel-Link’s service will provide a customer with a single, voice grade communications channel, including a telephone number and directory listing, and will permit customers to (1) place an unlimited number of calls per month within a local calling area; (2) place toll-free 800 or 888 prepaid long-distance or information service calls; (3) access 911 service, and; (4) access optional service features such as call waiting, call forwarding, three-way calling, speed dialing, call return, unpublished number and caller identification.  Tel-Link’s prepaid local service, however, will not permit a customer to originate direct dial 1+ or 0+ toll services or caller paid information services; 1-900.

Tel-Link’s original application stated that it also intends to operate as a non-facilities-based switchless long-distance carrier to offer intrastate prepaid long-distance telecommunications resell services.  Tel-Link’s long-distance services will be purchased in bulk from other certified carrier (e.g., AT&T, MCI and Sprint) and shall be resold by Tel-Link to customers within the state of Idaho.  Tel-Link seeks authority to offer the foregoing services within all areas of the state of Idaho served by its certificated underlying carrier, U S WEST Communications, Inc.

On April 24, 1997, the Commission issued a Notice of Modified Procedure soliciting comments in response to Tel-Link’s Application.  The only party to file comments was the Commission Staff.  Staff expressed concern over the need to distinguish between the foregoing services and intrastate toll services.  Moreover, Staff noted that some of the required information was missing from the application, some of the information contained in the application had to be changed to conform to the Commission’s rules, and certain aspects of Tel-Link’s application contained editorial errors.  Following the filing of Staff’s comments, Tel-Link amended its Application and now requests that the Commission not proceed with its Title 62 tariff request at this time.  Tel-Link desires to get its Title 61 filing in order before proceeding to add Title 62 services.

Based upon the lack of information contained in Tel-Link’s Application, Staff recommended in its initial comments that no action be taken with respect to Tel-Link’s Application.  Staff has reviewed the information subsequently submitted by Tel-Link, as well as that provided in response to production requests, and now believes that Tel-Link has provided all of the information identified by the Commission in Case No. GNR-T-96-4 which set out the procedural requirements for approval of competitive local exchange providers.  Consequently, Staff believes that Tel-Link’s Application is complete.  Staff notes that final resale agreements between Tel-Link and GTE and U S WEST are not yet available.  Tel-Link understands that it must provide copies of those agreements as well as its final escrow arrangements before formally conducting business under the attached tariff.  Staff recommends approval of the Tel-Link Application for a Certificate of Public Convenience and Necessity to provide competitive local exchange service.

Commission Decision

Does the Commission wish to grant Tel-Link’s Application?

Brad Purdy

Bill Eastlake

vld/M:TLI-T-97-1.bp