

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION OF)	CASE NO. TLX-T-18-01
TELIAX, INC FOR REGISTRATION AS A)	
RETAIL AND WHOLESALE)	
TELECOMMUNICATIONS PROVIDER IN)	ORDER NO. 34332
IDAHO)	
_____)	

On November 21, 2018, TeliAx, Inc. (“TeliAx” or “Company”) filed an Application with the Commission for certification as a retail and wholesale provider of telecommunications service in Idaho. On March 26, 2019, the Commission issued a Notice of Application and Notice of Modified Procedure. Order No. 34288. Commission Staff filed the only comments. The Commission now issues this Order approving the Application subject to stated conditions.

THE APPLICATION

TeliAx is a provider of telecommunications services incorporated in the State of Colorado and with its principal place of business in Denver, Colorado. Application at 2. TeliAx proposes to offer wholesale and retail competitive telecommunications service, including local exchange and exchange access services within the State of Idaho using its own facilities and services available from other facilities-based carriers. *Id.* While TeliAx is requesting statewide authority, it intends to initially provide service in areas where CenturyLink is the incumbent local exchange carrier. *Id.* The Company intends to utilize its own switching facilities, as well as leased and resold transport facilities and services from other carriers. *Id.*

TeliAx provided its current profit and loss statements with its Application. *Id.*, Ex. D. It also provided a copy of its switched access service tariff and a website link to its rates, terms, and conditions. *Id.*, Ex. E. On March 11, 2019, TeliAx provided an updated version of its switched access service tariff.

TeliAx provided a contact for tariff and price list questions, as well as customer complaints and inquiries. *Id.* On March 8, 2018, Idaho’s Secretary of State certified that TeliAx is authorized to transact business in Idaho. *Id.*, Ex. A. TeliAx stated that it will comply with all Idaho laws and Commission Rules and Regulations and acknowledges that if it obtains numbering

resources in Idaho, it will be subject to numbering conservation, pooling, and utilization measures. *Id.* at 3.

THE COMMENTS

Staff filed the only comments in this matter and recommends Commission approval of the Application. Staff believes Teliix understands the requirements of Commission Rule of Procedure 114 and Commission Order No. 32277, and that it possesses the requisite financial, managerial, and technical qualifications necessary to provide telecommunications services in Idaho.

COMMISSION FINDINGS AND DECISION

Based on our review of the record, including Teliix's Application and Staff's comments, we find that the Application complies with the requirements of Commission Rule of Procedure 114 and Commission Order No. 32277. We find that Teliix has provided all needed information in its Application, including financial information, and that Teliix possesses the requisite financial, managerial, and technical qualifications needed to operate as a telecommunications service provider. We also find that Teliix is aware of and has agreed to comply with this Commission's rules. For these reasons, we approve Teliix's Application for a Certificate of Public Convenience and Necessity (CPCN) subject to the following conditions:

1. Teliix shall comply with all number pooling and reporting requirements of the North American Number Plan Administrator, as set forth in Commission Order No. 30425 and Rule 114.08;
2. Teliix shall comply with all reporting and contribution requirements as prescribed by the Idaho Universal Service Fund, Idaho Telecommunications Relay System, and Idaho Telecommunications Service Assistance Program;
3. Teliix shall comply with all future reporting requirements deemed appropriate by the Commission for competitive telecommunications providers; and
4. Teliix shall provide a report to the Commission within one year of issuance of the CPCN demonstrating Teliix is providing local exchange telecommunications services in Idaho.¹ The report shall state how many and what percentage of Teliix's Idaho

¹ The Commission has no jurisdiction to certify an entity that does not provide switched-based telecommunications services in Idaho. For example, the Commission does not regulate fiber optic companies that provide dedicated private line circuits or dark fiber layers who seek to avail themselves of an incumbent local exchange carrier's poles and conduits. Teliix thus must show it is providing switched telecommunications services subject our jurisdiction.

customers are receiving local exchange telecommunications services. The report shall also state how many of the customers receiving local exchange telecommunications services are residential customers and how many are small business customers.² If Teliix fails to provide such report within one year, Teliix shall relinquish its CPCN and all telephone numbers it has been assigned.

ORDER

IT IS HEREBY ORDERED that Teliix's Application for a CPCN is granted subject to the above-stated conditions.

THIS IS A FINAL ORDER. Any person interested in this 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, 62-619.

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² *Idaho Code* § 62-603(11) defines small business customers as "a business entity, whether an individual, partnership, corporation or any other business form, to whom telecommunication services are furnished for occupational, professional or instructional purposes, and which business entity does not subscribe to more than five (5) access lines which are billed to a single billing location."

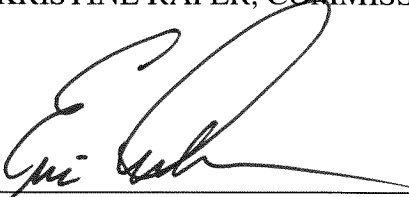
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 10th
day of May 2019.



PAUL KJELLANDER, PRESIDENT




KRISTINE RAPER, COMMISSIONER



ERIC ANDERSON, COMMISSIONER

ATTEST:



Diane M. Hanian
Commission Secretary

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