

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF TNCI OPERATING)	CASE NO. TOC-T-13-01
COMPANY LLC'S APPLICATION FOR A)	
CERTIFICATE OF PUBLIC CONVENIENCE)	NOTICE OF APPLICATION
AND NECESSITY TO PROVIDE LOCAL)	
EXCHANGE AND EXCHANGE ACCESS)	NOTICE OF
TELECOMMUNICATIONS SERVICES)	MODIFIED PROCEDURE
)	
)	ORDER NO. 32818

On April 30, 2013, TNCI Operating Company LLC (the "Company") applied to the Commission for a Certificate of Public Convenience and Necessity ("CPCN") authorizing the Company to provide resold and facilities-based local exchange and exchange access telecommunications services in Idaho. On May 7, 2013, the Company amended the Application by filing revised price lists. The Application, as amended by the revised price lists, is referred to in this Order as the "Application."

With this Order, the Commission summarizes the Application, solicits public input on the Application, and orders that the case be processed under the Commission's Rules of Modified Procedure.

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that the Company says it is a Delaware limited liability company that is authorized to do business in Idaho. Its principal place of business is in Santa Barbara, California. The Company is wholly owned by TNCI Holdings LLC, which also is its manager. Application at 3-4.

YOU ARE FURTHER NOTIFIED that the Company says it does not yet provide telecommunications services, but that it is authorized to provide them in Montana and is obtaining authority to provide them in all of the contiguous United States, Hawaii, and the District of Columbia. *Id.* at 1-2. Further, the Company says it is buying the bankruptcy assets of Trans National Communications International, Inc. ("Trans National"), a company that the Commission has authorized to provide local exchange service (including exchange access) in Idaho. *Id.* at 1, *citing* Commission Order No. 29637. These assets include customer accounts and contracts, telecommunications equipment, and where allowed by law, the licenses needed to

provide telecommunications services. *Id.* at 7. The Company says it will notify the Commission when the sale is completed. *Id.* at 2.

YOU ARE FURTHER NOTIFIED that the Company does not plan to build new facilities. Rather, it is buying Trans National's assets and operations and will operate that business as configured. *Id.* at 2. The Company intends to provide the same facilities-based and resold local exchange, exchange access telecommunications services to business customers that Trans National provides. *Id.* at 2. The Company says that granting the Application will promote the public interest by permitting Trans National's existing customers to be assigned to a financially stable company that will continue to provide service without interruption. *Id.* at 7.

YOU ARE FURTHER NOTIFIED that the Company intends to provide services including: (1) basic local exchange services and ancillary services like custom calling features, (2) dedicated Internet Protocol-enabled, integrated voice and data services, and (3) private line, frame relay and other non-voice services. The Company's network will primarily consist of facilities leased from other carriers, although it may deploy its own facilities. *Id.* at 2. The Company seeks to provide services to and from all points in Idaho that are currently open, and that become open, to competition. *Id.* at 4. The Company will compete with CenturyLink and Verizon for the provision of local exchange services. *Id.*

YOU ARE FURTHER NOTIFIED that the Company says it has not yet entered into or requested interconnection/resale agreements in Idaho. But where necessary, the Company has made arrangements with underlying carriers to assume the existing interconnection/resale agreements of Trans National as part of the bankruptcy process. *Id.* at 6. The Company plans to use the existing local exchange boundaries and established local calling scope of the incumbent local exchange carriers in Idaho. *Id.*

YOU ARE FURTHER NOTIFIED that the Company says it is financially, managerially, and technically qualified to establish and operate its proposed telecommunications operations in Idaho. The Company provides pro forma financial information to support its Application. The Company also notes that its managers have significant experience in the telecommunications industry, and that it will share many of Trans National's customer service, technical, operational, and managerial personnel. *Id.* at 2-3. The Company represents that its operations will meet high standards for service quality and reliability, and will emphasize customer service. *Id.* at 3 and 7.

YOU ARE FURTHER NOTIFIED that the Company says it will comply with Idaho law and the Commission's rules. *Id.* at 6. The Company says it will start providing service consistent with the Commission's approval of the Application. *Id.* at 4.

NOTICE OF MODIFIED PROCEDURE

YOU ARE FURTHER NOTIFIED that the Commission has determined that the public interest may not require a formal hearing in this matter and will proceed under Modified Procedure pursuant to Rules 201 through 204 of the Idaho Public Utilities Commission's Rules of Procedure, IDAPA 31.01.01.201 through .204. The Commission notes that Modified Procedure and written comments have proven to be an effective means for obtaining public input and participation.

YOU ARE FURTHER NOTIFIED that any person desiring to state a position on the Application may file a written comment in support or opposition with the Commission **within twenty-one (21) days from the service date of this Notice**. The comment must contain a statement of reasons supporting the comment. Persons desiring a hearing must specifically request a hearing in their written comments. Written comments concerning the Application shall be mailed to the Commission and the Applicant at the addresses reflected below:

Commission Secretary	Jean L. Kiddoo
Idaho Public Utilities Commission	Brett P. Ferenchak
PO Box 83720	Bingham McCutchen LLP
Boise, ID 83720-0074	2020 K Street, N.W.
	Washington, D.C. 20006-1806
Street Address for Express Mail:	E-mail: jean.kiddoo@bingham.com
	brett.ferenchak@bingham.com
472 W. Washington Street	
Boise, ID 83702-5918	

These comments should contain the case caption and case number shown on the first page of this document. Persons desiring to submit comments via e-mail may do so by accessing the Commission's home page located at www.puc.idaho.gov. Click the "Comments and Questions" icon, and complete the comment form, using the case number as it appears on the front of this document. These comments must also be sent to the Applicant at the e-mail addresses listed above.

YOU ARE FURTHER NOTIFIED that if no written comments or protests are received within the time limit set, the Commission will consider this matter on its merits and

enter its Order without a formal hearing. If written comments are received within the time limit set, the Commission will consider them and, in its discretion, may set the same for formal hearing.

YOU ARE FURTHER NOTIFIED that the Application has been filed with the Commission and is available for public inspection during regular business hours at the Commission offices. The Application is also available on the Commission's web site at www.puc.idaho.gov by clicking on "File Room" and then "Telephone Cases."

YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission's jurisdiction under Title 62 of the Idaho Code. The Commission may enter any final Order consistent with its authority under Title 62 and Commission Rule of Procedure 114, IDAPA 31.01.01.114.

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 the Application be processed under Modified Procedure. Persons interested in submitting written comments regarding this case or protesting the use of Modified Procedure should do so no later than 21 days from the service date of this Order.

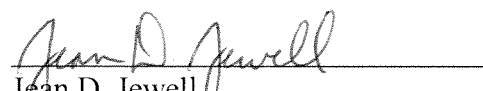
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 29th
day of May 2013.


PAUL KJELLANDER, PRESIDENT


MACK A. REDFORD, COMMISSIONER


MARSHA H. SMITH, COMMISSIONER

ATTEST:


Jean D. Jewell
Commission Secretary

O:TOC-T-13-01_kk