(text box: 1)BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

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| IN THE MATTER OF THE PETITION OF  CENTURY TELEPHONE OF IDAHO, INC., POTLATCH TELEPHONE COMPANY AND TROY TELEPHONE COMPANY (d.b.a. TDS TELECOM) FOR DESIGNATION AS ELIGIBLE TELECOMMUNICATIONS CARRIERS IN THE STATE OF IDAHO PER FCC UNIVERSAL REPORT AND ORDER NO. 96-45. | )  )  )  )  )  )  )  )  )  ) | CASE NOS. CEN-T-97-1                       POT-T-97-1                       TRO-T-97-1  NOTICE OF PETITION  NOTICE OF MODIFIED           PROCEDURE  ORDER NO.  27208 |

On October 20, 1997, Century Telephone of Idaho, Inc., Potlatch Telephone Company and Troy Telephone Company (d.b.a. TDS Telecom) filed a joint Petition requesting that the Commission designate each company as both a rural telephone company and an eligible telecommunications carrier pursuant to the Telecommunications Act of 1996.

Before a telecommunications carrier may receive federal Universal Service Fund support, it must be designated as an eligible telecommunications carrier by the state Public Utilities Commission.   47 U.S.C. § 214(e).  Federal universal service support includes high-cost support, reimbursement for discounts provided to low-income customers in the Lifeline and Link Up programs, and support for health care providers.

NOTICE OF PETITION

YOU ARE HEREBY NOTIFIED that Century, Potlatch and Troy have requested designation as rural telephone companies as defined in Section 3 (a)(2)(47) of the Telecommunications Act of 1996.

YOU ARE FURTHER NOTIFIED that Section 3 (a)(2)(47) of the Telecommunications Act of 1996 defines a rural telephone company as

a local exchange carrier operating entity to the extent that such entity—

(A) provides common carrier service to any local exchange carrier study area that does not include either—

(i) any incorporated place of 10,000 habitants or more, or any part thereof, based on the most recently available population statistics of the Bureau of the Census; or

(ii) any territory, incorporated or unincorporated, included in an urbanized area, as defined by the Bureau of the Census as of August 10, 1993;

(B) provides telephone exchange service, including exchange access, to fewer than 50,000 access lines;

(C) provides telephone exchange service to any local exchange carrier study area with fewer than 100,000 access lines; or

(D) has less than 15 percent of its access lines in communities of more than 50,000 on the date of enactment of the Telecommunica­tions Act of 1996.

Designation as a rural telephone company exempts the rural telephone company from the Telecommunication Act’s interconnection and resale requirements until the company has received a bona fide request for interconnection, services, or network elements, and the state Public Utilities Commission determines that such request is technically feasible, consistent with Section 254 of the Telecommunications Act of 1996 and not unduly economically burdensome.  47 U.S.C. § 251(f)(1).

YOU ARE FURTHER NOTIFIED that Century, Potlatch and Troy have requested designation as eligible telecommunications carriers and have certified that each meets the requirements for designation as an eligible telecommunications carrier for its respective Idaho service area.  Section 214(e)(2) of the federal Telecommunications Act provides that a “State commission shall . . . upon request designate a common carrier that meets the requirements [established by the FCC] as an eligible telecommunications carrier for a service area designated by the State commission.”  47 U.S.C. § 214(e)(2).

YOU ARE FURTHER NOTIFIED that to be designated as an eligible telecommunications carrier, an LEC must offer the following services as specified in the FCC’s Universal Service Order, CC Docket No. 96-45 (FCC 97-157), released May 8, 1997:

single-party service

voice grade access to the public switched network

touch-tone service

access to emergency services, including 911 and E911

access to operator services

access to interexchange service

access to directory assistance

toll limitation services for qualifying low-income consumers

Id. at ¶¶ 61-82.  Century, Potlatch and Troy assert that, with the exception of toll limitation services for qualifying low income consumers as defined by the FCC, each offers the above-listed services using its own respective facilities.  47 U.S.C. § 214(e)(1)(A) and (1)(B).  Century, Potlatch and Troy further assert that each offers Lifeline services consistent with Idaho statutes.

YOU ARE FURTHER NOTIFIED thatCentury, Potlatch and Troy ask that the Commission grant each a waiver of “toll limitation services”(footnote: 1) in accordance with the FCC’s Universal Service Order, CC Docket No. 96-45 (FCC 97-157), released May 8, 1997, ¶ 388.   Century, Potlatch and Troy state that each provides “toll blocking” but none has the technical ability to provide toll control.  Petition at p. 3;  Joint Testimony of Gail Long and Gary Bailey at p. 3.  The FCC defines “toll limitation” as including both toll blocking and toll control.  According to FCC regulation, “toll limitation” is “a service provided by carriers that allows consumers to specify a certain amount of toll usage that may be incurred on their telecommunications channel per month or per billing period.”  47 C.F.R. 54.400(a)(4).  Century, Potlatch and Troy request the Commission grant each a waiver of the “toll limitation” requirement.

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.

YOU ARE FURTHER NOTIFIED that any person desiring to state a position on this Petition may file a written comment in support or opposition with the Commission within twenty-one (21) days from the 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 this Petition shall be mailed to the Commission and the Petitioners at the addresses reflected below:

COMMISSION SECRETARYMORGAN W. RICHARDS

IDAHO PUBLIC UTILITIES COMMISSIONMOFFAT, THOMAS et al

PO BOX 83720P.O. BOX 829

BOISE, IDAHO  83720-0074BOISE, ID 83701

Street Address for Express Mail:

472 W WASHINGTON ST

BOISE, IDAHO  83702-5983

These comments should contain the case caption and case number shown on the first page of this document.

YOU ARE FURTHER NOTIFIED that if no written comments 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 Petition has been filed with the Commission and is available for public inspection during regular business hours at the Commission offices.

YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission's jurisdiction under Title 61 or Title 62 of the Idaho Code and that the Commis­sion may enter any final Order consistent with its authority under Title 61 or Title 62.

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.

YOU ARE FURTHER NOTIFIED that the Commission has jurisdiction over this matter pursuant to Idaho Code § 62-615(1).

O R D E R

IT IS HEREBY ORDERED that this matter be processed under Modified Procedure.  Persons interested in submitting written comments in this matter should do so within twenty-one (21) days from the date of this Order.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this                  day of November 1997.

                                                                                      DENNIS S. HANSEN, PRESIDENT

                                                                                       RALPH NELSON, COMMISSIONER

MARSHA H. SMITH, COMMISSIONER

ATTEST:

Myrna J. Walters

Commission Secretary

bls/O-cent971.cc

**FOOTNOTES**

1:

 “Toll blocking” is currently available in most Idaho exchanges and simply prohibits the customer from making long-distance calls.  “Toll control” permits a customer to limit the toll charges he or she can incur during a billing period to a preset amount.  This latter service would require a substantial integration between the CO switch and the billing records of the customer.

**COMMENTS AND ANNOTATIONS**

Text Box 1:

**TEXT BOXES**

Office of the Secretary

Service Date

November 10, 1997