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

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| --- | --- | --- |
| IN THE MATTER OF THE APPLICATION OF U.S. TELECOM, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE LOCAL EXCHANGE SERVICE AS A COMPETITIVE LOCAL CARRIER AND FOR APPROVAL OF AN INTERCONNECTION AGREEMENT PURSUANT TO 47 U.S.C. § 252(e).. | )  )  )  )  )  )  )  )  ) | CASE NO. UST-T-98-1  NOTICE OF APPLICATION  NOTICE OF MODIFIED           PROCEDURE  ORDER NO.  27403 |

On January 7, 1998, the Commission received an Application from U.S. Telco, Inc.for a Certificate of Public Convenience and Necessity to provide resold residential local exchange service as a competitive local carrier in those areas currently served by U S WEST Communications, Inc., GTE Northwest Incorporated and Citizens Telecommunications Company of Idaho.  Application at 1 and 4.  As part of its Application, Telco filed its proposed initial tariff with the Commission for information purposes pursuant to Idaho Code § 62-606.

On February 12, 1998, Telco filed its negotiated Interconnection Agreement with U S WEST and asked for Commission approval in accordance with the Telecommunications Act of 1996.  47 U.S.C. § 252 (e)(1). No other interconnection agreement has been filed.  The Interconnection Agreement was reached through voluntary negotiations without resort to mediation or arbitration and was submitted for approval pursuant to Section 252(e) of the Telecommunications Act of 1996.

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that in this Application that Telco requests the Commission issue it a Certificate of Public Convenience and Necessity to provide resold local exchange service as a competitive local carrier pursuant to the federal Telecommunications Act of 1996. Telco provided information that appears to satisfy the requirements of Rule of Procedure 111, IDAPA 31.01.01.111, and Procedural Order No. 26665, issued November 7, 1996, which sets out the necessary information to be included with an Application for a Certificate submitted by a new local service provider in Idaho.

YOU ARE FURTHER NOTIFIED that Telco intends to provide competitive service to U S WEST Communications, Inc.’s, GTE Northwest Incorporated’s and Citizens Telecommunications Company of Idaho’s existing service areas.

YOU ARE FURTHER NOTIFIED that on February 12, 1998, Telcom requested approval of a negotiated interconnection agreement between Telco and U S WEST Communications, Inc.   The agreement was reached through voluntary negotiations without resort to mediation or arbitration and was submitted for approval pursuant to Section 252(e) of the Telecommunications Act of 1996.  YOU ARE FURTHER NOTIFIED that Section 252(e)(2) of the Act directs that a state Commission may reject an agreement reached through voluntary negotiations only if the Commission finds that

(i)the agreement (or portions thereof) discriminates against a telecommunications carrier not a party to the agreement; or

(ii)the implementation of such agreement or portion is not consistent with the public interest, convenience and necessity.

YOU ARE FURTHER NOTIFIED that this Application, together with supporting exhibits, has been filed with the Commission and is available for public inspection during regular business hours at the Commission offices.

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, therefore, 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 Application 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 Application shall be mailed to the Commission and the Applicants at the addresses reflected below:

COMMISSION SECRETARYKYLE L. DICKSON

IDAHO PUBLIC UTILITIES COMMISSIONMAXWELL, BAKER, & McFATRIDGE, P.C.

PO BOX 8372017625 EL CAMINO REAL, SUITE 310

BOISE, IDAHO  83720-0074HOUSTON, TEXAS  77058

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

O R D E R

IT IS HEREBY ORDERED that upon review of the filings in this case and determination of the Commission, that this Case No. UST-T-98-1 shall be processed by Modified Procedure, Commission Rules of Procedure 201-204, IDAPA 31.01.01.201-04.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this                  day of March 1998.

                                                                                                                                      DENNIS S. HANSEN, PRESIDENT

                                                                                           RALPH NELSON, COMMISSIONER

MARSHA H. SMITH, COMMISSIONER

ATTEST:

Myrna J. Walters

Commission Secretary

O:ustt981.cc

**COMMENTS AND ANNOTATIONS**

Text Box 1:

**TEXT BOXES**

Office of the Secretary

Service Date

March 12, 1998