DECISION MEMORANDUM

TO:COMMISSIONER NELSON

COMMISSIONER SMITH

COMMISSIONER HANSEN

MYRNA WALTERS

TONYA CLARK

DON HOWELL

STEPHANIE MILLER

DAVID SCHUNKE

EILEEN BENNER

JOE CUSICK

BILL EASTLAKE

BIRDELLE BROWN

GARY RICHARDSON

WORKING FILE

FROM:JIM LONG

DATE:AUGUST 20,  1996

RE:USW-S-96-7, SIL-T-96-2; CLARIFICATION OF CERTIFICATED SERVICE AREA BOUNDARIES.

BACKGROUND

On October 4, 1963, the Commission granted Silver Star Telephone authority to furnish telephone service in the community of Wayan and the surrounding rural area in Caribou County, and ordered that the Certificate of Public Convenience and Necessity No. 207 be issued.   On July 17, 1963, a Certificate of Public Convenience and Necessity No. 255 was issued to U S WEST (formerly Mountain States Telephone and Telegraph Company) to provide service in Bingham and Caribou County.  This certificate was amended on December 13, 1967 to include specific Township, Range and Section descriptions that overlapped a portion of Silver Star Telephone’s previously certificated area.

The area in question is very sparsely populated.  Further, the existing outside plant has not crossed competing company facilities.  Both U S WEST and Silver Star Telephone have carefully surveyed the area, facilities and customer bases to determine what effect a mutually agreeable boundary change would have.  Based on this evaluation, the companies have agreed to split the overlapping area as shown in Attachment A.

STAFF FINDING

Staff, in reviewing this application, has found there is no duplication of outside plant. Current customers served by each company today would remain with the existing company at existing rates if this application is approved.  The proposed boundary change would be minimal, with no cost to be incurred by either company other than the cost to meet regulatory filing requirements.

STAFF RECOMMENDATION

Since both companies are in agreement, and the area in question is certificated and served by U S WEST or Silver Star Telephone and no existing customers will be affected by this filing, Staff maintains there is no need to proceed under modified procedure as suggested by the filing parties.  Staff recommends the Commission approve this filing as presented, thus correcting what would appear to be an administrative oversight dating back three decades.

COMMISSION

Does the Commission approve this filing as presented?

Does the Commission want to process this matter under modified or issue an order?

Something else?

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Jim Long

Attachment

i:wpfiles\utelcomm\usws967.wpd\jgl:gdk