

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)	CASE NO. WAN-T-19-01
OF WANRACK, LLC FOR A CPCN TO)	
PROVIDE LOCAL AND LONG DISTANCE)	
TELECOMMUNICATIONS SERVICE IN)	ORDER NO. 34324
IDAHO)	

On February 7, 2019, WANRack, LLC (“WANRack” or “Company”) filed an Application requesting a Certificate of Public Convenience and Necessity (“CPCN”) to provide local and long distance telecommunications service throughout Idaho. On March 13, 2019, the Commission issued a Notice of Application and Notice of Modified Procedure setting comment and reply comment deadlines. Order No. 34270. Commission Staff was the only party to file comments. Now, the Commission issues this Order approving the Application subject to stated conditions.

THE APPLICATION

The Company is a Delaware corporation with its principal place of business in Lenexa, Kansas. The Company is seeking authority to offer Idaho citizens facilities-based and resold competitive local exchange telecommunications and interexchange telecommunications services throughout the entire state of Idaho. The Company states that it will “offer a full range of communications services, including data, local exchange voice services, and interexchange/long distance to (i) institutional customers such as public schools, (ii) business customers, and (iii) to other telecommunications carriers for transit or resale.” Application at 3-4.

COMMENTS

Staff filed the only comments in this matter, and recommended the Commission approve the Application. After reviewing WANRack’s Application, Staff believes WANRack possesses the requisite financial, managerial, and technical qualifications necessary to provide telecommunications services, and believes the Company understands the Commission’s rules and requirements related to the provision of telecommunication services in Idaho.

COMMISSION FINDINGS AND DECISION

Based on our review of the record, including the Company’s Application and Staff’s comments, we find that the Company’s Application complies with the requirements for a CPCN.

Rule of Procedure 114 sets forth the requirements that competitive local exchange carriers – such as WANRack – must satisfy to obtain a CPCN. IDAPA 31.01.01.114. We find that WANRack has provided all needed information in its Application, including financial information, and that WANRack possesses the requisite financial, managerial, and technical qualifications needed to operate as a telecommunications service provider. We also find that the Company is aware of and has agreed to comply with this Commission’s rules. For these reasons, we approve WANRack’s Application for a CPCN subject to the following conditions:

1. WANRack shall comply with number pooling and reporting requirements of the North American Numbering Plan Administrator, as set forth in Commission Order No. 30425;
2. WANRack shall comply with all reporting and contribution requirements as prescribed by the Idaho Universal Service Fund, Idaho Telecommunications Relay System, and the Idaho Telecommunications Service Assistance Program;
3. WANRack shall comply with all future reporting requirements deemed appropriate by the Commission for competitive telecommunications providers; and
4. WANRack shall provide a report to the Commission within one year of issuance of the CPCN demonstrating the Company is providing local exchange telecommunications services in Idaho.¹ If WANRack fails to provide such report within one year, the Company shall relinquish its CPCN and all telephone numbers it has been assigned.

ORDER

IT IS HEREBY ORDERED that WANRack’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

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. The Company thus must show it is providing switched telecommunications services subject our jurisdiction.

reconsideration, any other person may cross-petition for reconsideration. *See Idaho Code §§ 61-626, 62-619.*

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 30th day of April 2019.



PAUL KJELLANDER, PRESIDENT



KRISTINE RAPER, COMMISSIONER



ERIC ANDERSON, COMMISSIONER

ATTEST:



Diane M. Hanian
Commission Secretary

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