

DECISION MEMORANDUM

**TO: COMMISSIONER KJELLANDER
COMMISSIONER SMITH
COMMISSIONER HANSEN
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL**

FROM: DONOVAN E. WALKER

DATE: OCTOBER 13, 2005

SUBJECT: 360NETWORKS (USA) INC. APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, CASE NO. WFN-T-05-1

On September 22, 2005, 360networks (USA) inc. (Company) filed an Application for a Certificate of Public Convenience and Necessity with the Idaho Public Utilities Commission (Commission). The Application seeks authority for the Company to provide facilities-based competitive local exchange telecommunications services to commercial subscribers and exchange access services to interconnecting carriers in Idaho.

THE APPLICATION

The Company proposes to provide competitive local exchange carrier services including, but not limited to, basic local exchange services, primarily to commercial subscribers in Qwest Corporation and Verizon exchanges. The Company also proposes to provide exchange access services to interconnecting carriers, but does not propose to offer alternative operator services to the public. The Application states that the Company currently maintains its own dedicated facilities in the State of Idaho used exclusively for wholesale carriers who lease the Company's network. The Company states it is not currently providing any local exchange services within Idaho and upon approval of its Application it will utilize its facilities to provide retail services. The Company states its network may be supplemented through resale of incumbent carrier services and/or leasing portions of its network. The Company states it has been granted authority to provide competitive local exchange services in 33 states.

The Company states it is a privately held corporation organized under the laws of the State of Nevada and authorized by the Idaho Secretary of State to transact business in Idaho. The Company does not anticipate maintaining offices in Idaho and has a principal business

address in Louisville, CO. The Company filed five exhibits with its Application including its: Articles of Incorporation; Authority to Transact Business in the State of Idaho and Certificate of Good Standing; Executive Profiles; Financial Statements; and an Illustrative Price List.

STAFF RECOMMENDATION

Staff recommends that the Company's Application be processed by Modified Procedure.

COMMISSION DECISION

Should the Application of 360networks (USA) inc. for a Certificate of Public Convenience and Necessity be processed by Modified Procedure?

A handwritten signature in black ink, appearing to read 'D. Walker', written over a horizontal line.

Donovan E. Walker

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