

## DECISION MEMORANDUM

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

**FROM:** DONOVAN E. WALKER

**DATE:** SEPTEMBER 28, 2004

**SUBJECT:** APPLICATION OF XO COMMUNICATIONS SERVICES, INC. FOR A  
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY; CASE  
NO. XOC-T-04-1

On July 27, 2004, XO Communications Services, Inc. filed an Application for a Certificate of Public Convenience and Necessity with the Commission seeking its review and approval. The Application states that XO Communications Services intends to offer a complete set of telecommunications services, which includes local and long distance voice, Internet access, Virtual Private Networking (VPN), Ethernet, Wavelength, Web Hosting, and Integrated voice and data services. The proposed service area is statewide. The Application states that the company will provide services primarily to small and medium-sized business customers, as well as large business enterprises (e.g., national customers with multiple locations), governmental entities, and institutional end users.

According to the Application XO Communications Services, the Applicant, and XO Idaho Inc. are both wholly owned, direct subsidiaries of XO Communications, Inc. XO Idaho is currently authorized to provide competitive local exchange and interexchange telecommunications services pursuant a Certificate of Public Convenience and Necessity granted by this Commission in Case No. GEN-T-99-1, Order No. 28134. XO Communications Services states that the purpose of the Application is to complete an internal corporate reorganization whereby, upon the Commission's grant of authority requested by the Application, XO Idaho will transfer its intrastate telecommunications assets and customers to XO Communications Services through a merger between the two subsidiaries. After the merger, XO Idaho will cease to exist and XO Communications Services will assume all of XO Idaho's current operations and customers.

### **STAFF RECOMMENDATION**

Staff recommends that the Application be processed by modified procedure, and a comment period opened.

### **COMMISSION DECISION**

Should the Application of XO Communications Services for a Certificate of Public Convenience and Necessity be processed by modified procedure?

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

Donovan E. Walker