

DECISION MEMORANDUM

TO: COMMISSIONER REDFORD
COMMISSIONER SMITH
COMMISSIONER KEMPTON
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL

FROM: NEIL PRICE

DATE: APRIL 23, 2008

SUBJECT: APPLICATION OF ZIAL NETWORKS, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY; CASE NO. ZIA-T-08-01

On April 14, 2008, Zial Networks, Inc. (“Zial”) filed an Application for a Certificate of Public Convenience and Necessity pursuant to *Idaho Code* §§ 61-526 through 528, IDAPA 31.01.01.111 and 112 and Commission Order No. 26665 to provide facilities-based and resold competitive local exchange telecommunications service to business and residential customers in Idaho. *Application* at 1.

THE APPLICATION

Zial is an Idaho corporation and lists its principal place of business as Boise, Idaho. *Id.* at 2. The Company is registered with the Idaho Secretary of State as a limited liability company and lists Chris Adams, 4762 S. Skyridge Way, Boise, Idaho 83709, as its Idaho registered agent for service. *Id.* at 2.

“Zial will offer basic local exchange services and custom calling features to business and residential customers.” *Id.* at 4. Initially, the Company “will offer facilities-based local exchange service via commercial wholesale agreements with incumbents.” *Id.* The Company states that it “intends to provide service in the areas served by Qwest [Corporation (“Qwest”)] and does not plan to provide service in areas of any small or rural local exchange carriers. . . .” *Id.* “Zial does not currently own property in Idaho.” *Id.*

The Company is currently in the process of negotiating an interconnection agreement with Qwest and “will compete directly with Qwest for the provision of local exchange telecommunications services.” *Id.* at 4, 5. The Company has provided the Commission with the

appropriate “Financial Information” and “Illustrative Tarriff Fillings.” *See id.* at 4, Exhibit B and Exhibit C.

STAFF RECOMMENDATION

Staff has reviewed Zial’s Application and recommends that it be processed through Modified Procedure.

COMMISSION DECISION

Should Zial’s Application for a Title 62 Certificate of Public Convenience and Necessity be processed through Modified Procedure?



Neil Price