

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)	CASE NO. ACC-T-04-1
OF ACCERIS COMMUNICATIONS CORP.)	
FOR A CERTIFICATE OF PUBLIC)	NOTICE OF APPLICATION
CONVENIENCE AND NECESSITY TO)	
PROVIDE LOCAL EXCHANGE)	NOTICE OF
TELECOMMUNICATIONS SERVICES.)	MODIFIED PROCEDURE
)	
)	ORDER NO. 29615

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that on June 7, 2004, Acceris Communications Corp. ("Acceris" or "Company") filed an Application for a Certificate of Public Convenience and Necessity to provide local exchange telecommunications services to customers throughout Idaho. Principally located in San Diego, California, Acceris is incorporated in Delaware and is authorized to do business as a foreign corporation in the State of Idaho.

YOU ARE FURTHER NOTIFIED that Acceris proposes to provide resold and facilities-based local exchange services via unbundled network element platforms (UNE-P). Such services will be provided by utilizing the facilities of incumbent local exchange carriers ("LECs"): Qwest North, Qwest South, and Verizon. Acceris has no current plans to install facilities in Idaho but may do so in the future; however, the nature and extent of the facilities to be utilized has not yet been determined.

YOU ARE FURTHER NOTIFIED that Acceris intends to provide all forms of intrastate interexchange telecommunications services, including: 1+ and 101XXXX outbound dialing, 800/888 toll-free inbound dialing, prepaid and postpaid calling cards, directory assistance, and frame relay and other data services. Acceris also intends to provide all forms of intrastate local exchange telecommunications services that will allow business and residential customers to utilize: local calling in the local calling area served by other LECs, including local dial tone and custom calling features; switched local exchange services; non-switch local services; Centrex and/or Centrex-like services; and digital subscriber line, ISDN, and other high capacity line services.

NOTICE OF APPLICATION
 NOTICE OF MODIFIED PROCEDURE
 ORDER NO. 29615

YOU ARE FURTHER NOTIFIED that Acceris seeks authority to resell and provide facilities-based/UNE-P interexchange and local exchange services initially throughout the State where provided by incumbent LECs. However, Acceris does not intend to service areas serviced by any LECs which are eligible for a small or rural carrier exemption pursuant to Section 251 of the federal Telecom Act of 1996.

YOU ARE FURTHER NOTIFIED that Acceris intends to provide service upon certification and finalization of interconnection agreements with the LECs. According to its Application, Acceris has initiated interconnection negotiations with Qwest.

YOU ARE FURTHER NOTIFIED that Acceris has reviewed the Commission's rules applicable to local exchange service providers in Idaho and agrees to provide service in accordance with all laws, rules and regulations to the extent they are not preempted by the federal Act. Acceris will not require advance payments or deposits; therefore, no escrow account is being filed in this Application.

NOTICE OF MODIFIED PROCEDURE

YOU ARE FURTHER NOTIFIED that the Commission has determined that the public interest may not require a formal hearing in this matter and will proceed under Modified Procedure pursuant to Rules 201 through 204 of the Idaho Public Utilities Commission's Rules of Procedure, IDAPA 31.01.01.201 through .204.

YOU ARE FURTHER NOTIFIED that any person desiring to state a position on this Application may file a written comment in support or opposition with the Commission **within 21 days of the service date of this Order**. The comment must contain a statement of reasons supporting the comment. Persons desiring a hearing must specifically request a hearing in their written comments. Written comments concerning this Application shall be mailed to the Commission and the Applicant at the addresses reflected below:

Commission Secretary
Idaho Public Utilities Commission
PO Box 83720
Boise, ID 83720-0074

Lance J.M. Steinhart
Lance J.M. Steinhart, P.C.
1720 Windward Concourse, Suite 250
Alpharetta, GA 30005
Email: lsteinhart@telecomcounsel.com

Street Address for Express Mail:

472 W. Washington Street
Boise, ID 83702-5983

These comments should contain the case caption and case number shown on the first page of this document. Persons desiring to submit comments via e-mail may do so by accessing the Commission's home page located at www.puc.state.id.us. Click the "Comments and Questions" icon, and complete the comment form, using the case number as it appears on the front of this document. These comments must also be sent to the Applicant at the e-mail address listed above.

YOU ARE FURTHER NOTIFIED that if no written comments or protests are received within the time limit set, the Commission will consider this matter on its merits and enter its Order without a formal hearing. If written comments are received within the time limit set, the Commission will consider them and, in its discretion, may set the same for formal hearing.

YOU ARE FURTHER NOTIFIED that the Application together with supporting workpapers, testimonies and exhibits, have been filed with the Commission and are available for public inspection during regular business hours at the Commission offices.

YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission's jurisdiction under Titles 61 and 62 of the Idaho Code and that the Commission may enter any final Order consistent with its authority under the Idaho Code.

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

ORDER

IT IS HEREBY ORDERED that the Application of Acceris Communications Corp. for a Certificate of Public Convenience and Necessity be processed by Modified Procedure, IDAPA 31.01.01.201-204. Persons interested in submitting written comments in this matter must do so no later than 21 days from the service date of this Order.

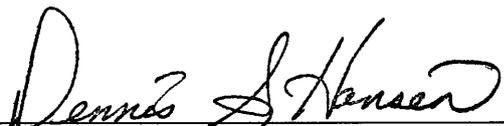
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 12th
day of October 2004.



PAUL KJELLANDER, PRESIDENT

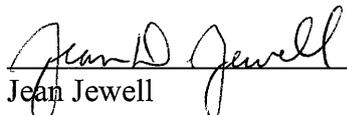


MARSHA H. SMITH, COMMISSIONER



DENNIS S. HANSEN, COMMISSIONER

ATTEST:



Jean Jewell
Commission Secretary

O:ACCT0401_ln