## **DECISION MEMORANDUM**

TO:

**COMMISSIONER KJELLANDER** 

COMMISSIONER SMITH COMMISSIONER HANSEN COMMISSION SECRETARY

**COMMISSION STAFF** 

**LEGAL** 

FROM:

KIRA DALE PFISTERER

DATE:

**JULY 5, 2005** 

RE:

APPLICATION OF ALL IDAHO LLC DBA IBC COMMUNICATIONS, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE RESOLD LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES. CASE NO. AII-T-05-1.

May 23, 2005, All Idaho LLC dba IBC Communications, Inc. ("IBC") filed an Application for a Certificate of Public Convenience and Necessity (CPCN) to provide resold local exchange telecommunications services throughout Qwest's service territory in the State of Idaho. On June 15, 2005, the Commission solicited comments regarding IBC's Application. *See* Order No. 29802. No comments were received other than those submitted by Commission Staff.

## THE APPLICATION

IBC intends to provide local, long distance and international calling as well as Voice Over Internet Protocol (VoIP) to both residential and business customers. IBC also plans to provide: Internet services, networking, phone system setup and install, call center services, hosting, co-location and consultation. IBC will offer telecommunications services through resale agreements with Qwest. IBC plans to compete with Qwest, McLeod, AT&T, Sprint, Direct Communications, Fremont Telecom and Frontier Communications.

IBC is an Idaho corporation with its principal business address in Pocatello and an instate registered agent for service in Idaho. IBC was created by All Idaho L.L.C., which has been providing Internet services to Idaho and Oregon customers for over nine years.

## STAFF COMMENTS

In its evaluation of IBC's Application, Staff determined the Company's filing complies with the requirements of the Commission. See Procedural Order No. 26665; IDAPA

31.01.01.111 and 112 (Rules 111 and 112). Staff believes that the Company understands and agrees to comply with the Commission rules and requirements. Staff further believes that the Company possesses the requisite managerial and technical qualifications necessary to operate as a provider of telecommunications services. In addition, although Staff noted its concern regarding the Application's limited financial information, Staff ultimately concluded that the financial resources identified in the Application, plus the Company's existing base of high-speed data customers, demonstrate that the Company has sufficient financial resources to operate as a reseller of telecommunications services. Therefore, based on its review of the Application, Commission Staff recommends approval of the Application for a Certificate.

## **COMMISSION DECISION**

Does the Commission wish to approve All Idaho LLC dba IBC Communications, Inc.'s Application for a Certificate of Public Convenience and Necessity to provide resold local exchange services in the State of Idaho throughout the service areas of existing local exchange carriers: Qwest North, Qwest South and Verizon?

Does the Commission wish to waive the escrow account requirement until the Company begins to collect deposits?

Mina O. Pfisterer

Kira Dale Pfisterer

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