

## **DECISION MEMORANDUM**

**TO: COMMISSIONER KJELLANDER  
COMMISSIONER RAPER  
COMMISSION SECRETARY  
COMMISSION STAFF  
LEGAL**

**FROM: KARL KLEIN  
DEPUTY ATTORNEY GENERAL**

**DATE: JULY 1, 2015**

**SUBJECT: ALBION TELEPHONE'S PETITION FOR ORDER APPROVING  
ACQUISITION OF AN AFFILIATED TITLE 62 COMPANY'S LONG-  
DISTANCE ASSETS, AND USE OF THOSE ASSETS TO PROVIDE  
LONG-DISTANCE SERVICES, CASE NO. ALB-T-15-02**

On June 9, 2015, Albion Telephone Company petitioned the Commission for an Order approving its: (1) acquisition of certain assets of ATC Long Distance, Inc. (a now dissolved, affiliated Title 62 company); (2) use of those assets to provide non-regulated long-distance service; and (3) adoption of ATC Long Distance, Inc.'s price list. The Company asks the Commission to process the case by Modified Procedure.

### **THE PETITION**

The Company is a Commission-regulated Title 61 telephone corporation. The Company's Petition explains that in February 2014, ATC Long Distance, Inc.'s shareholders voted to dissolve ATC Long Distance and transfer its assets to the Company so the Company could provide the long-distance services that ATC Long Distance had provided. ATC Long Distance filed Articles of Dissolution with the Idaho Secretary of State on April 8, 2014.

The Petition explains that the Company has been providing long-distance services in accordance with ATC Long Distance's price list on file with the Commission. And, as part of its Application, the Company has submitted the same price list in the Company's name. The Company asks the Commission to approve this price list with a March 7, 2014 effective date (which is the date on which ATC Long Distance's President signed the Articles of Dissolution).

The Company notes that its acquisition of ATC Long Distance, Inc.'s assets and provision of non-regulated long-distance services will have little, if any, impact on the

Company's current customers. The Company will continue to provide these customers with the same regulated services at the same prices. The Company also will continue to offer long-distance services to ATC Long Distance, Inc.'s former customers at the same prices. There is, therefore, no interruption in service or change in billing practices. The Company separately manages and accounts for its revenues and expenses from non-regulated long-distance services and its revenues and expenses from regulated services.

#### **STAFF RECOMMENDATION**

Staff recommends that the Petition be processed by Modified Procedure with a 21-day comment deadline and a 7-day reply deadline.

#### **COMMISSION DECISION**

Does the Commission wish to order that the case be processed by Modified Procedure with a 21-day comment deadline and a 7-day reply deadline?

*Karl Klein*  
Karl Klein  
Deputy Attorney General

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