

DECISION MEMORANDUM

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

FROM: NEIL PRICE
DEPUTY ATTORNEY GENERAL

DATE: MARCH 20, 2008

SUBJECT: APPLICATION OF BUDGET PREPAY, INC. D/B/A BUDGET PHONE
COMPANY FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY; CASE NO. BPP-T-07-01

On November 14, 2007, Budget PrePay, Inc. dba Budget Phone (“Budget”) filed an Application for a Certificate of Public Convenience and Necessity to provide facilities-based and resold local exchange telecommunications services in the State of Idaho pursuant to Commission Order No. 26665. Thereafter, the Commission set apart February 25, 2008, as the deadline for comments regarding Budget’s Application. *See* Order No. 30496. Commission Staff was the only party to submit comments regarding Budget’s Application.

THE APPLICATION

Budget is a Louisiana corporation and lists its principal place of business as Bossier City, Louisiana. *Application* at 1. The Company is registered with the Idaho Secretary of State as a limited liability company and lists TCS Corporate Services, 5527 Kendall Street, Boise, Idaho 83706, as its Idaho registered agent for service. *Id.* at 2.

Budget states that the Company “is in good standing under the laws of the state of Louisiana” and that it is “authorized to do business as a foreign [Company] in the state of Idaho.” *Id.* “Applicant initially proposes to provide resold local exchange services and to purchase unbundled network elements provided by . . . Qwest North, Qwest South and Verizon.” *Id.* at 4.

Budget does not currently own facilities or property in Idaho and “has no current plans to install facilities in Idaho . . .” *Id.* at 4. The Company states that it does not intend to service areas already serviced by LECs that qualify as small or rural local exchange carriers


under Section 251 of the Federal Telecom Act of 1996. *Id.* at 4-5. The Company has also provided the Commission with the appropriate financial information; map of its proposed service territory in Idaho; and illustrative tariffs. *See Id.* at 6, Exhibits 3-5.

COMMENTS

Staff reviewed Budget's Application and determined that the Company has complied with the requirements of Procedural Order No. 26665 and IDAPA 31.01.01.111 and 112 (Rules 111 and 112). Staff believes that the Company possesses the requisite financial, managerial, and technical qualifications necessary to operate effectively as a telecommunications provider within the State of Idaho. Staff noted that the Company provided audited financial statements for 2006 and 2007 and an illustrative tariff with its Application, demonstrating a fundamental understanding of the Commission's tariff requirements and procedures. Based upon its review, Staff recommends that the Commission approve Budget's Application for a Certificate of Public Convenience and Necessity.

COMMISSION DECISION

Does the Commission wish to approve Budget PrePay, Inc. dba Budget Phone's Application for a Certificate of Public Convenience and Necessity to provide facilities-based and resold local exchange telecommunications services within the State of Idaho?



Neil Price
Deputy Attorney General

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