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Attorney for the Commission Staff

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF BARR TELL USA,)	
INC.'S APPLICATION FOR A CERTIFICATE)	CASE NO. BTL-T-23-01
OF PUBLIC CONVENIENCE AND)	
NECESSITY TO PROVIDE RESOLD AND)	
FACILITIES-BASED LOCAL EXCHANGE)	COMMENTS OF THE
TELECOMMUNICATIONS SERVICES)	COMMISSION STAFF
IN IDAHO)	

COMMISSION STAFF (“STAFF”) OF the Idaho Public Utilities Commission, by and through its Attorney of record, Michael Duval, Deputy Attorney General, and in response to the Notice of Application in Order No. 36129 issued on April 5, 2024, submits the following comments.

BACKGROUND

On December 22, 2023, Barr Tell USA, Inc. (“Applicant”) submitted an application to the Commission providing information necessary to obtain a Certificate of Public Convenience and Necessity (“CPCN”) that would grant it authority to provide facilities-based and resold local exchange telecommunication services in Idaho pursuant to IDAPA 31.01.01.114. Application at 1.

The Applicant stated that it was incorporated as a domestic corporation in the state of Idaho on December 13, 2023. *Id* at 1. A copy of the Applicant's Certificate of Formation and approval from the Idaho Secretary of State was attached to the Application as Exhibit 1. The

Applicant confirmed that its main corporate address is 218 East Park Ave., Suite 522 Long Beach, NY 11561. *Id* at 1. The Applicant represented that it plans to provide facilities-based and resold telephone services throughout the state of Idaho by delivering its voice and data services directly to business customers. *Id* at Exhibit 5. The Applicant provided the names and addresses of its officers and owners, as well as relevant corporate financial information.

STAFF ANALYSIS

Staff has reviewed the Applicant's Application and believes the Applicant understands the Commission's rules and requirements related to the provision of telecommunication services in Idaho. Staff believes the Applicant's Application fulfills the requirements of procedural Rule 114 and Order No. 26665. Staff also believes the Applicant possesses the requisite financial, managerial, and technical qualifications necessary to operate as a provider of telecommunications services.

STAFF RECOMMENDATION

Staff recommends approval of the Applicant's Application for a CPCN certificate subject to the following conditions:

1. The Applicant complies with number pooling and reporting requirements of the North American Numbering Plan Administrator, as outlined in Commission Order No. 30425;
2. The Applicant provides necessary reports and contributions appropriate to the Idaho Universal Service Fund, Idaho Telecommunications Relay Services, and Idaho Telecommunications Service Assistance Program, and complies with all future reporting requirements deemed appropriate by the Commission for competitive telecommunications providers;
3. Prior to issuance of the CPCN certificate, the Applicant files a final price list outlining all its rates, terms, and conditions with the Commission;
4. The Applicant provides three reports to the Commission indicating the number of basic local exchange customers it has and the services being offered. These reports will be due as follows:
 - a. August 26, 2024;

- b. December 26, 2024; and
- c. April 25, 2025.

If the Applicant fails to provide the three reports, the Applicant shall relinquish its CPCN certificate and all telephone numbers it has been assigned or the Commission will by its order revoke the Company's CPCN certificate; and

- 5. If the Applicant is not providing basic local exchange service by the time the third report is due, the Commission, by its order, will revoke the Company's CPCN certificate.

Respectfully submitted this 26th day of April 2024.



Michael Duval
Deputy Attorney General

Technical Staff: Johan E. Kalala-Kasanda

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 26th DAY OF APRIL 2024, SERVED THE FOREGOING **COMMENTS OF THE COMMISSION STAFF**, IN CASE NO. BTL-T-23-01, BY E-MAILING A COPY THEREOF, TO THE FOLLOWING:

HAROLD BARR PRESIDENT BARR TELL USA INC 218 E PARK AVE STE 522 LONG BEACH NY 11561-3521 E-MAIL: hb@barrtell.com	



PATRICIA JORDAN, SECRETARY