

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF THE APPLICATION OF )  
BULLSEYE TELECOM, INC. FOR A ) CASE NO. BUL-T-04-1  
CERTIFICATE OF PUBLIC CONVENIENCE )  
AND NECESSITY TO PROVIDE )  
COMPETITIVE TELECOMMUNICATIONS ) ORDER NO. 29680  
SERVICES WITHIN THE STATE OF IDAHO )**

On October 15, 2004, BullsEye Telecom, Inc. filed an Application for a Certificate of Public Convenience and Necessity to provide basic resold and facilities-based local exchange services and resold interexchange service to both residential and business customers throughout Idaho. In the Notice of Application and Modified Procedure issued December 1, 2004, the Commission sought comments regarding BullsEye Telecom's Application. Order No. 29648. No comments were received other than those submitted by Commission Staff. In this Order the Commission approves BullsEye's Application.

**THE APPLICATION**

The Application requests authority for the Company to offer basic resold and facilities-based local exchange services and resold interexchange service to both residential and business customers throughout Idaho. BullsEye plans to offer local exchange services through the combination of its own facilities and an unbundled network element platform (UNE-P) through interconnection agreements with incumbent local exchange carriers (LECs). The Company intends to offer service immediately upon certification and approval of its interconnection agreement.

BullsEye is a Michigan corporation authorized by the Idaho Secretary of State to transact business in the State of Idaho. The Company is authorized to provide local exchange and interexchange services in approximately 35 states. The Company states in its Application that it has experience operating as a local exchange provider in several states and possesses considerable telecommunications expertise. The Application states that BullsEye's primary market is business customers, and they intend to provide network bundled telecommunications services, which would include long distance service, local exchange service, and selected custom calling features. The Company intends to offer service in the geographic areas currently served by Qwest Corporation. The Application states that the Company will mirror the basic local

calling scopes of the incumbent LECs. The Application requests waivers of any regulatory reporting requirements that, although applicable to incumbent LECs, are not applicable to competitive providers such as BullsEye.

#### **STAFF COMMENTS**

In its evaluation of the Company's Application, Staff determined that BullsEye Telecom, Inc. is incorporated in the State of Michigan and headquartered in Oak Ridge, Michigan. The Company is authorized to provide local exchange and interexchange services in 35 states. A Certificate of Authority to transact business as a foreign corporation from the Idaho Secretary of State was obtained on May 17, 2004. BullsEye has provided financial sheets for quarters ending December 31, 2002 and 2003 as well as the appropriate contact information for its registered agent for service of process within Idaho.

The Company plans to offer local exchange services primarily via an unbundled network platform. Interexchange services will be an adjunct to the local exchange services and the Company intends to commence offering service immediately upon certification and approval of its interconnection agreement.

Staff has reviewed the Application submitted by the Company and believes the Company understands and agrees to comply with the Commission rules and requirements. Based on this review, the Company's filing fulfils the requirements of the Commission Rules and Procedural Order No. 26665. The Staff believes that the Company possesses the requisite financial, managerial, and technical qualifications necessary to operate as a provider of telecommunications services. Therefore, the Staff recommended approval of the Application for a Certificate of Public Convenience and Necessity.

#### **COMMISSION FINDINGS**

Based upon the comments, the law, and the record, the Commission grants the Application. When considering an application for a Certificate, the Commission must determine if the applicant has the necessary qualifications to provide service while still fostering competition in the local telecommunications market. Based upon our review of the filing and the record in this case, the Commission finds that BullsEye's filing satisfies the requirements of the Commission's Rules and Procedural Order No. 26665. Thus, we approve BullsEye Telecom, Inc.'s Application for a Certificate of Public Convenience and Necessity to allow the Company to provide telecommunications services statewide. This is consistent with our previous Orders

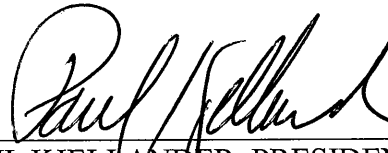
granting statewide authority to provide telecommunications services to carriers meeting the established requirements.

**ORDER**

IT IS HEREBY ORDERED that BullsEye Telecom, Inc. is granted a Certificate of Public Convenience and Necessity to provide competitive telecommunications services within the State of Idaho.

THIS IS A FINAL ORDER. Any person interested in this Order may petition for reconsideration within twenty-one (21) days of the service date of this Order with regard to any matter decided in this Order. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. *See Idaho Code § 61-626.*

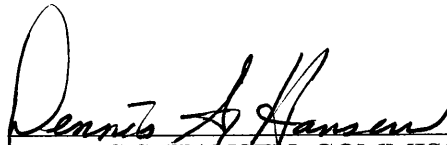
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 10<sup>th</sup> day of January 2005.



PAUL KJELLANDER, PRESIDENT

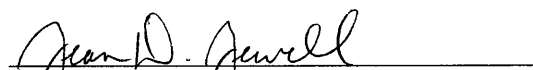


MARSHA H. SMITH, COMMISSIONER



DENNIS S. HANSEN, COMMISSIONER

ATTEST:

  
Jean D. Jewell  
Commission Secretary

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