

DECISION MEMORANDUM

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

**FROM: WELDON STUTZMAN
DEPUTY ATTORNEY GENERAL**

DATE: JULY 23, 2010

**SUBJECT: CASE NO. CBS-T-10-01
CREXENDO BUSINESS SOLUTIONS, INC.'S APPLICATION FOR A
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY**

On June 11, 2010, Crexendo Business Solutions, Inc. filed an Application for a Certificate of Public Convenience and Necessity to provide resold and facilities-based/UNE local exchange telecommunications services in the State. Crexendo currently has no office located in the State of Idaho. Crexendo is incorporated in the State of Arizona and is authorized to do business as a foreign corporation in the State of Idaho.

On June 30, 2010, the Commission issued a Notice of Application and Notice of Modified Procedure to establish a comment period and process for Crexendo's Application. Staff filed written comments on July 21, 2010.

Crexendo intends to provide resold local exchange services and to purchase unbundled network elements provided by existing incumbent local exchange carriers (ILECs) in Idaho. Crexendo seeks authority to provide all forms of intrastate local exchange and interexchange telecommunications services. Crexendo provided an illustrative tariff with its Application providing terms and conditions for its proposed services.

Crexendo states that it will not require advanced payments or deposits and seeks a waiver of the Commission's requirement for an escrow account for those payments. The Company also explicitly states that it has reviewed the "laws and regulations" of this Commission and agrees to comply with them.

Staff recommends that Crexendo Business Solutions, Inc. be granted a CPCN subject to the following conditions:

- (a) The Company agrees to comply with the Number Pool Administrator and Idaho Commission Order No. 30425, which requires NRUF and Utilization reporting;
- (b) As a provider of local exchange services and in accordance with the Commission's Rules of Procedure, Crexendo will report and contribute as appropriate to the Idaho Universal Service Fund, Idaho Telecommunications Relay System, ITSAP and to comply with all reporting requirements that may be deemed appropriate in the future for competitive telecommunication providers;
- (c) Prior to issuance of the Certificate, Crexendo shall file a completed and final price list with all its rates, terms and conditions with the Commission;
- (d) Crexendo will relinquish its Certificate and all telephone numbers if, within one year of issuance of a CPCN, the Company is not offering local exchange telecommunications services in Idaho.

COMMISSION DECISION

Does the Commission approve Crexendo's Application for a Certificate of Public Convenience and Necessity?



Weldon B. Stutzman
Deputy Attorney General

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