

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF CLEAR RATE) CASE NO. CRC-T-20-01
COMMUNICATIONS, INC.’S APPLICATION)
FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO) ORDER NO. 34902
PROVIDE RESOLD AND NON-FACILITIES)
BASED LOCAL EXCHANGE SERVICES)
THROUGHOUT IDAHO)

On October 14, 2020, Clear Rate Communications, Inc. (“Company”) applied for a Certificate of Public Convenience and Necessity (“CPCN”) to provide resold and non-facilities based local exchange service throughout Idaho. On November 24, 2020, the Commission issued a Notice of Application and Notice of Modified Procedure setting comment and reply deadlines. Commission Staff filed comments. The Company did not file reply comments.

Having reviewed the record, the Commission issues this Order approving the Company’s Application as follows.

THE APPLICATION

The Company is a Michigan corporation authorized to do business in Idaho as a foreign corporation. It plans to “provide resold and non-facilities based local exchange service utilizing the facilities of incumbent local exchange carriers” statewide. Application at 1-3. The Company asserted it is in negotiations with CenturyLink Communications for an interconnection agreement. The Company stated it will file a proposed tariff once it receives certification from the Commission and has an interconnection agreement in place.

THE COMMENTS

Staff filed the only comments, and recommended the Commission approve the Application. After reviewing the Company’s Application, Staff believes the Company possesses the requisite financial, managerial, and technical qualifications to provide telecommunication services, and believes the Company understands the Commission’s rules and requirements related to the provision of telecommunication services in Idaho. Therefore, Staff recommends approval of the Application, subject to five conditions. The Company must 1) comply with the North American Number Plan Administrator requirements; 2) comply with all reporting and contribution requirements prescribed by the Idaho Universal Service Fund, Idaho Telecommunications Relay

System, and Idaho Telecommunications Service Assistance Program, and must comply with all future reporting requirements deemed appropriate by the Commission for competitive telecommunications providers; 3) file with the Commission a final price list outlining its rates, terms, and conditions before issuance of its CPCN; 4) provide the Commission with three reports during the next twelve months, indicating the number of basic local exchange customers it has and the services being offered; and 5) recognize that if the Company is not providing basic local exchange service by the time the third report is due, the Commission by its own motion will revoke the Company's CPCN.

DISCUSSION AND FINDINGS

Based on our review of the record, we find that the Company's Application complies with the requirements to obtain a CPCN. Rule of Procedure 114 sets the requirements that competitive local exchange carriers—such as the Company—must satisfy to obtain a CPCN. IDAPA 31.01.01.114. We find that the Company has satisfied Rule 114. The Company has provided all needed information in its Application, including financial information. The Company also has the financial, managerial, and technical qualifications needed to operate as a telecommunications service provider, and it has reviewed and agreed to comply with this Commission's rules. We thus find it reasonable to approve the Company's Application for a CPCN, subject to these conditions:

- 1) The Company must comply with North American Number Plan Administrator requirements, as outlined in Commission Order No. 30425.
- 2) The Company must comply with all reporting and contribution requirements prescribed by the Idaho Universal Service Fund, Idaho Telecommunications Relay Services, and Idaho Telecommunications Service Assistance Program, and must comply with all future reporting requirements deemed appropriate by the Commission for competitive telecommunications providers.
- 3) Before issuance of its CPCN, the Company must file with the Commission a final price list outlining its rates, terms, and conditions.
- 4) The Company must provide 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 on: April 10, 2021; August 16, 2021; and December 13, 2021. If the Company fails to provide the three reports, the Company shall relinquish its

CPCN and all telephone numbers it has been assigned or the Commission will by its own motion revoke the Company's CPCN.

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

ORDER

IT IS HEREBY ORDERED that the Company's Application for a CPCN is granted subject to the conditions outlined above.

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. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. See *Idaho Code* §§ 61-626 and 62-619.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 20th day of January 2021.



PAUL KJELLANDER, PRESIDENT

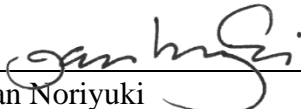


KRISTINE RAPER, COMMISSIONER



ERIC ANDERSON, COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

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