

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF CTC TELECOM’S (1) ) CASE NO. CTL-T-23-02**  
**APPLICATION OF FOR AN AMENDED )**  
**CPCN AND (2) PETITION TO ) ORDER NO. 36271**  
**DEMONSTRATE SATISFACTION OF )**  
**REQUIREMENTS TO HOLD CPCN NO. 348 )**  
**AND DESIGNATION AS AN ETC )**  
**)**

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On May 26, 2023, CTC Telecom, Inc. (“CTC”) applied to amend its Certificate of Public Convenience and Necessity (“CPCN”) No. 348 to relinquish its right to provide voice and broadband services via fiber in Ada County, Idaho (“Application”). In support of this request, the Company disclosed that it had sold the telecommunications equipment and facilities used to provide those services in Ada County to Millennium Networks, LLC (“Millenium”). In response, Commission Staff (“Staff”) recommended the Commission open a new case to review the asset transfer for compliance with *Idaho Code* § 61-328 and previous Commission orders.

On July 12, 2023, the Commission opened Case No. CTL-T-23-03 to review the asset transfer for compliance with *Idaho Code* § 61-328 and previous Commission orders. Order No. 35852. The Commission subsequently concluded that *Idaho Code* § 61-328 did not authorize reviews of asset transfers between telecommunication companies, like CTC, and dismissed Case No. CTL-T-23-03. Order No. 36077. However, the Commission also ordered CTC to demonstrate it still satisfied the criteria to hold a CPCN and Eligible Telecommunications Carrier (“ETC”) designation. *See id.*

On April 17, 2024, consistent with the requirements of Order No. 36077, CTC filed a petition in this case presenting information and supporting documentation indicating that it continued to meet all the requirements to hold a CPCN and ETC designation. Accordingly, CTC requested an order confirming such. At the Commission’s June 18, 2024, Decision Meeting, Staff presented a decision memorandum recommending approval of the Company’s May 26, 2023 and April 17, 2024, requests.

With this Order, we approve the Company’s Application and Petition, confirming that CTC continues to satisfy the requirements of (1) holding CPCN No. 348 as amended by this Order; and (2) designation as an ETC.

## **THE APPLICATION**

CTC seeks to amend CPCN No. 348 to relinquish its rights to provide voice and broadband services via fiber in Ada County. The Company seeks to relinquish these rights because it has sold the telecommunications equipment and facilities to provide those services to customers in Ada County to Millenium, along with certain customer and vendor contracts, and certain other rights and agreements between CTC and third parties. Despite intending to withdraw voice and broadband services, CTC indicated that it is providing fixed wireless services in Ada County under the assumed name “Wilderness Wireless” and does not seek removal of the right to provide that service from CPCN No. 348.

## **THE PETITION**

CTC subsequently seeks an order confirming that it continues to satisfy the requirements to hold CPCN No. 348 and ETC designation. CTC asserts that, despite having sold substantially all its assets used to provide voice and broadband service over fiber in Ada County, it still satisfies the requirements to hold CPCN No. 348. To support this assertion, the Company provided information about the services it still provides, its service territory, tariffs, and pertinent financial information, indicating some of this information was already on file with the Commission. Regarding ETC designation requirements, CTC asserts that “[n]one of the information provided in [its] original [A]pplication regarding [its] network, facilities or services has changed” following the sale of its assets in Ada County. Petition at 5.

## **STAFF COMMENTS**

Staff confirmed that CTC meets the requirements to hold CPCN No. 348 despite transferring certain telecommunications equipment to Millennium. Additionally, Staff agrees that CPCN No. 348 should be amended to reflect that CTC no longer provides basic local exchange services in Ada County, but will continue providing fixed wireless services there. Staff also confirmed that CTC still satisfied the requirements for ETC designation. Accordingly, Staff recommended approval of both the Application and Petition.

## **COMMISSION FINDINGS AND DECISION**

The Commission has authority to issue CPCNs to telecommunications companies providing basic local exchange service. *Idaho Code* §§ 61-527, 62-604. The Commission also has authority to grant ETC designation to a telecommunications carrier under federal and state law. 47 U.S.C. § 214(e); *Idaho Code* §§ 62-610D and 62-615(1). After reviewing the record, including the Company’s Application, Petition, and Staff’s Comments, we find that CTC continues to satisfy

the requirements to hold CPCN No. 348 and to be designated an ETC in Idaho. Additionally, because CTC has sold the assets necessary to provide voice and broadband services via fiber in Ada County, we find it reasonable to grant CTC's Application to amend CPCN No. 348. We direct the Company to file an amended CPCN No. 348 reflecting the changes requested in the Application as a compliance filing within 30 days of the serviced date of this order.

**ORDER**

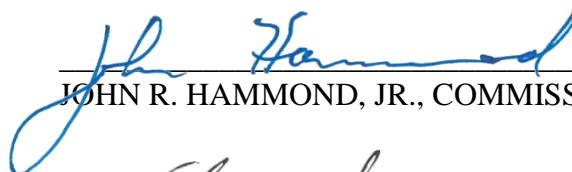
IT IS HEREBY ORDERED that the Company's Application to amend CPCN No. 348 to reflect that it no longer provides voice and broadband services via fiber or basic local exchange service in Ada County, Idaho, is granted.

IT IS FURTHER ORDERED that the Company must file an amended CPCN No. 348 reflecting the changes requested in the Application as a compliance filing within 30 days of the serviced date of this order.

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 about 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. *Idaho Code* § 62-619.

DONE by order of the Idaho Public Utilities Commission at Boise, Idaho this 24<sup>th</sup> day of July 2024.

  
ERIC ANDERSON, PRESIDENT

  
JOHN R. HAMMOND, JR., COMMISSIONER

  
EDWARD LODGE, COMMISSIONER

ATTEST:

  
Monica Barrios-Sanchez  
Commission Secretary

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