BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF EATON FIBER IDAHO, LLC'S APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE RESOLD AND FACILITIES-BASED EXCHANGE TELECOMMUNICATIONS SERVICES	)	**CASE NO. EFI-T-25-01** **ORDER NO. 37224**

On November 19, 2025, Eaton Fiber Idaho, LLC ("Company") applied to the Idaho Public Utilities Commission ("Commission") requesting a Certificate of Public Convenience and Necessity ("CPCN") to provide resold and facilities-based local exchange telecommunications services in the State of Idaho ("Application").

On February 5, 2026, the Commission issued a Notice of Application and Notice of Modified Procedure, establishing deadlines for public comments and for the Company to file reply comments. Order No. 36920. No public comments were received.

On April 2, 2026, the Commission issued Order No. 36986, conditionally denying the Company's Application and directing the Company to submit all outstanding information and documentation within 21 days of service of the Order.[1]

On April 3, 2026, the Company submitted a Compliance Filing and a Supplemental Response to Order No. 36986 on July 17, 2026.

On September 16, 2026, the Commission issued a Notice of Schedule, setting public comment and Company reply deadlines. Order No. 37169. Comments were filed by Commission Staff ("Staff"). The Company did not file a reply. No other comments were received.

Based on our review of the record, the Commission now issues this Final Order approving the Company's Application.

[1] In Order No. 36986, the Commission conditionally denied the Application while allowing the Company an opportunity to provide additional information and correct any deficiencies. Order No. 36986 at 4. Based on the record, the Commission determined that the Company's Application for a CPCN was incomplete and failed to meet the requirements of Rule 114 and Order No. 26665. *Id.* The Commission stated that the Company had not provided all the information necessary for the Commission to evaluate whether the requested CPCN should be approved, as required under Rule 114(2)(b)–(c). *Id.* The Commission directed the Company to submit all outstanding information and supporting documentation within 21 days of the service date of the Order. *Id.*

CPCNs FOR TELECOMMUNICATIONS PROVIDERS IN IDAHO

In 1996, the Commission issued Order No. 26665 providing clarification regarding the necessary information to be included with a new application for a CPCN submitted by telecommunications companies stating their intent to provide local exchange service in Idaho pursuant to *Idaho Code* §§ 61-526 through -528 and Commission Rules of Procedure ("Rule") 111 and 112, IDAPA 31.01.01.111 and 112.

In 2022, Idaho adopted Rule 114, effective March 31, 2022, to formally integrate Commission Order No. 26665 into the Commission rules. IDAPA 31.01.01.114. Rule 114 outlines the necessary information required for the Commission to issue a CPCN to companies seeking to provide local exchange services in Idaho.

Specifically, applicants must provide detailed business information, including name, address, entity type, and structure-specific details. Rule 114(1). They must also submit a comprehensive service description, including proposed customer classes, competitive analysis, identification of incumbent local exchange carriers ("ILECs"), and a detailed service area map. Rule 114(2).

Financial documentation is required, including current balance sheets or sufficient financial data demonstrating capability to support the proposed services. Rule 114(3). Initial tariffs or price lists must be included, detailing all rates, terms, and conditions, along with contact information for tariff and customer inquiries. Rule 114(4)-(5).

Applicants must disclose the status of any interconnection agreements and submit copies of any finalized contracts. Rule 114(6). Additionally, a written affirmation of compliance with Commission rules—or waiver requests for any inapplicable rules—is required, along with confirmation of compliance with telephone number conservation standards, including mandatory 1,000-block number pooling. Rule 114(7)-(8).

If the Commission determines that all of the requirements of Rule 114 have been met, the Commission will issue an order granting the application and CPCN.

THE APPLICATION

The Company proposed providing point-to-point telecommunications services, including dark fiber, ethernet, and broadband internet access services. Application at 1. The Company requested authority to build and operate a fiber network throughout Idaho, with network construction beginning within 60-90 days of an order from the Commission granting a CPCN. *Id.*

at 2-3. The Company believed its proposed services were in the public interest and would increase competitive choices for Idaho consumers. *Id.* at 4. The Application included a copy of the Company's Certificate of Organization/Registration, financial records, tariffs, and price lists. *Id.* at Exhibit A-C.

STAFF COMMENTS

Staff reviewed the Company's Application, compliance filings, supplemental response to Order No. 36986, prior comments submitted in the case, and Rule 114, which establishes the requirements for a CPCN application. Staff Comments at 2. In Staff's initial review, Staff believed that the Application satisfied all Rule 114 requirements except for the identification of ILECs and the inclusion of a detailed map of the proposed service territory. *Id.* In response to Order No. 36986, the Company submitted a compliance filing identifying several ILECs but relied on an outdated map that was more than ten years old and no longer accurately reflected the companies providing service or their service territories in Idaho. *Id.* Staff worked with the Company to clarify the proposed service area and recommended submitting an updated map to meet the regulatory requirements. *Id.* On July 17, 2026, the Company filed the necessary information, allowing Staff to verify that the Application satisfied all Rule 114 requirements for a CPCN. *Id.* In addition to approval of the Company's Application, Staff recommended that the Commission require the Company to submit periodic compliance filings demonstrating progress toward providing the proposed services, including updates on customer numbers, interconnection agreements, and the status of infrastructure construction. *Id.*

COMMISSION FINDINGS AND DECISION

The Commission has jurisdiction over this matter and the issues in this case under Title 61 of Idaho Code. The Commission is vested with the authority to grant a CPCN to the public utilities operating in Idaho. *Idaho Code* §§ 61-526 through -528. The Commission reviews applications to determine if the applicant has the necessary qualifications under Rule 114 to obtain a CPCN.

Having reviewed the record, we find the Company's Application meets the requirements of Rule 114 and grant the Company a CPCN, consistent with this Order.

The Company shall comply with the number pooling and reporting requirements of the North American Numbering Plan Administrator ("NANPA") as outlined in Rule 114(8) and Order No. 30425. Additionally, the Company shall provide necessary reports and contributions appropriate to the Idaho Universal Service Fund ("IUSF"), Idaho Telecommunications Relay

Services ("ITRS"), Idaho Telecommunications Service Assistance Program ("ITSAP"), and comply with all future reporting requirements deemed appropriate by the Commission for competitive telecommunications providers.

As a compliance filing in this case, the Company shall file a final price list within 30 days of the service date of this Order outlining all its rates, terms, and conditions with the Commission. The Company shall also provide three reports to the Commission, on December 31, 2026, March 15, 2027, and May 31, 2027, as compliance filings indicating the number of basic local exchange customers it has and the services being offered. If the Company fails to provide these reports, the Company shall relinquish its CPCN and all telephone numbers it has been assigned, or the Commission will revoke the Company's CPCN.

If the Company does not provide a basic local exchange service by May 31, 2027, the Commission shall revoke the Company's CPCN.

ORDER

IT IS HEREBY ORDERED that the Company's Application is approved and the Company is granted a CPCN consistent with this Order.

IT IS FURTHER ORDERED that the Company shall comply with the number pooling and reporting requirements of the NANPA as outlined in Rule 114(8) and Order No. 30425.

IT IS FURTHER ORDERED that the Company shall provide necessary reports and contributions appropriate to the IUSF, ITRS, ITSAP, and comply with all future reporting requirements deemed appropriate by the Commission for competitive telecommunications providers.

IT IS FURTHER ORDERED that the Company submit a compliance filing within 30 days of the service date of this Order providing a final price list outlining all its rates, terms, and conditions.

IT IS FURTHER ORDERED that the Company submit separate compliance filings in this case by December 31, 2026, March 15, 2027, and May 31, 2027, indicating the number of basic local exchange customers it has and the services being offered.

THIS IS A FINAL ORDER. Any person interested in this Order may petition for reconsideration within 21 days of the service date of this Order regarding any matter decided in this Order. Within 7 days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. *Idaho Code* §§ 62-619, 61-626.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 10th day of November 2026.

EDWARD LODGE, PRESIDENT

JOHN R. HAMMOND JR., COMMISSIONER

DAYN HARDIE, COMMISSIONER

ATTEST:

Monica Barrios-Sanchez
Commission Secretary
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