

DECISION MEMORANDUM

**TO: COMMISSIONER ANDERSON
COMMISSIONER HAMMOND
COMMISSIONER LODGE
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL**

**FROM: MICHAEL DUVAL
DEPUTY ATTORNEY GENERAL**

DATE: JUNE 6, 2023

SUBJECT: IN THE MATTER OF ELECTRIC LIGHTWAVE, LLC'S AND ZAYO GROUP, LLC'S JOINT APPLICATION FOR APPROVAL TO ASSIGN THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY HELD BY ELECTRIC LIGHTWAVE, LLC TO ZAYO GROUP, LLC; CASE NOS. ELI-T-23-01 & ZAY-T-23-01.

On March 23, 2023, Electric Lightwave, LLC (“E.L.”) and Zayo Group, LLC (“Zayo”) (referred to collectively as “the Applicants”) filed a joint application with the Idaho Public Utilities Commission (“Commission”) seeking approval to transfer E.L.’s Certificate of Public Convenience and Necessity to Zayo. While retaining their original request, the Applicants filed an amended application on April 3, 2023.

STAFF RECOMMENDATION

Staff recommends the Commission issue a Notice of Application and Notice of Modified Procedure establishing a 21-day public comment deadline and a 28-day Company reply deadline.

COMMISSION DECISION

Does the Commission wish to issue a Notice of Application and Notice of Modified Procedure establishing a 21-day public comment deadline and a 28-day Company reply deadline?



Michael Duval
Deputy Attorney General