

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF EARTHGRID’S)	CASE NO. EPC-T-21-01
APPLICATION TO PROVIDE BASIC)	
RESOLD AND FACILITIES-BASED LOCAL)	
EXCHANGE TELECOMMUNICATION)	ORDER NO. 35192
SERVICES IN THE STATE OF IDAHO)	
)	

On May 25, 2021, EarthGrid PBC (“Company”) applied for a Certificate of Public Convenience and Necessity (“CPCN”) to provide resold and facilities-based local exchange telecommunication services and internet services in Idaho.

On June 17, 2021, the Commission issued a Notice of Application and set deadlines for public comments and the Company’s reply. Commission Staff filed comments. The Company did not reply. No public comments were received.

Having reviewed the record, we now approve the Company’s Application as discussed below.

THE APPLICATION

The Company seeks a CPCN to provide facilities-based and resold basic local exchange telecommunication services to business and municipal customers in Idaho through incumbent local exchange carriers. The Company plans to obtain interconnection agreements with customers.

The Company intends to provide traditional landline service to customers with applications including elevators, renewable energy facilities, and security systems. The Company also plans to offer high-speed internet via fiber-based services. The Company’s underlying carrier will handle operator assisted services and emergency call services.

The Company also will be subject to numbering conservation measures and will operate its local exchange services on a de-tariffed basis with its rates, terms, and conditions posted on its website.

The Company intends to offer service in geographic areas currently served by CenturyLink and other providers.

THE COMMENTS

Staff recommended the Commission approve the Application. Staff believed the Company possesses the requisite financial, managerial, and technical qualifications to provide

telecommunication services, and that the Company understands the Commission's rules and requirements related to the provision of telecommunication services in Idaho. Therefore, Staff recommended 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 12 months, indicating the number of basic local exchange customers it has and the services being offered. If the Company fails to provide the reports, it will relinquish its CPCN and all telephone numbers assigned or the Commission will issue an order revoking the Company's CPCN; 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 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 necessary information in its Application, including financial information. Additionally, the Company 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 the following conditions:

1. EarthGrid complies with number pooling and reporting requirements of the North American Numbering Plan Administrator, as set forth in Commission Order No. 30425;
2. EarthGrid provides necessary reports and contributions appropriate to the Idaho Universal Service Fund, Idaho Telecommunications Relay Services, Idaho Telecommunications Service Assistance Program, and complies with all future

reporting requirements deemed appropriate by the Commission for competitive telecommunications providers;

3. Prior to issuance of the CPCN, EarthGrid files a final price list outlining all its rates, terms, and conditions with the Commission;
4. EarthGrid provides 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 as follows:
 - a. November 12, 2021
 - b. March 11, 2022
 - c. July 15, 2022

If the Company fails to provide the three reports, EarthGrid shall relinquish its CPCN and all telephone numbers it has been assigned or the Commission will by its own order revoke the Company's CPCN; and

5. If EarthGrid is not providing basic local exchange service by the time the third report is due, the Commission by its own order 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.*

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DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 6th day
of October 2021.



PAUL KJELLANDER, PRESIDENT

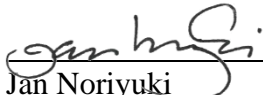


KRISTINE RAPER, COMMISSIONER



ERIC ANDERSON, COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

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