

## DECISION MEMORANDUM

**TO:** COMMISSIONER ANDERSON  
COMMISSIONER CHATBURN  
COMMISSIONER HAMMOND  
COMMISSION SECRETARY  
LEGAL  
WORKING FILE

**FROM:** DANIEL KLEIN  
RILEY NEWTON

**DATE:** APRIL 28, 2022

**RE:** IN THE MATTER OF EARTHGRID PBC'S APPLICATION FOR A  
CPCN; CASE NO. EPC-T-21-01.

### BACKGROUND

On May 25, 2021, Earthgrid PBC (“Earthgrid” or “Company”) applied for a Certificate of Public Convenience and Necessity (“CPCN”) to provide local exchange telecommunication services in Idaho. On October 6, 2021, in Order No. 35192, the Commission approved Earthgrid’s Application for a CPCN subject to five conditions. Condition three required the Company to file a final price list with the Commission before the CPCN would be issued.<sup>1</sup> Earthgrid provided a price list to the Commission on April 14, 2022, which was accepted by Commission Staff.

Condition four required the Company provide three reports to the Commission indicating the number of basic local exchange customers it had and the services it offered. These reports were due as follows: November 12, 2021, March 11, 2022, and July 15, 2022. Order No. 35192 went on to state that, if the Company “fail[ed] 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.” Order No. 35192 at 3.

It is now April 28, 2022, and the Company has not provided the November 12, 2021, and March 11, 2021, report. The Company has not been granted a CPCN.

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<sup>1</sup> Order No. 35192 did not provide a deadline for filing the final price list.

## **STAFF RECOMMENDATION**

Staff recommends the Company be granted a CPCN. If the Commission were to issue a CPCN to the Company, however, then the reporting dates required in the Order No. 35192 would need to be adjusted. Staff recommends the following reporting dates: September 2, 2022; January 6, 2023; and May 5, 2023.

## **COMMISSION DECISION**

Does the Commission wish to grant Earthgrid a CPCN and, if so, does the Commission wish to update the reporting dates recommended by Staff after the CPCN is issued?



Daniel Klein

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