

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF FYBERCOM LLC’S) CASE NO. FYB-T-24-01
APPLICATION FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND) NOTICE OF APPLICATION
NECESSITY TO PROVIDE)
TELECOMMUNICATIONS SERVICES IN) NOTICE OF
IDAHO) MODIFIED PROCEDURE
)
)
) **ORDER NO. 36217**
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On March 29, 2024, Fybercom LLC dba Fybercom (“Company”) applied to the Idaho Public Utilities Commission (“Commission”) requesting the issuance of a Certificate of Public Convenience and Necessity (“CPCN”) authorizing the Company to offer local telecommunication exchange services in Idaho (“Application”). On May 6, 2024, the Company filed a Certificate of Existence with the Idaho Secretary of State. On May 14, 2024, the Company submitted an amended application (“Amended Application”) that further conformed with the Commission’s requirements for the issuance of a CPCN.

The Commission now issues this Notice of Application and sets deadlines for interested persons to comment on the Application and for the Company to reply.

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that the Company is an Idaho LLC which intends to offer resale services “pursuant to a resale arrangement that will be entered into between Fybercom and the Idaho ILEC CenturyLink and/or its affiliates following action on this Amended Application by the Commission.” Amended Application at 3. The Company stated that it also intends to offer exchange access and broadband services.

YOU ARE FURTHER NOTIFIED that the Company outlined how much of it was owned by certain individual owners and entities by providing a list with each owners’ percentage/interest in the Company listed. The Company explained that it owns two Idaho subsidiaries: Omega Networks LLC and SkyNet LLC. The Company also provided a list of Company’s officers and managers.

YOU ARE FURTHER NOTIFIED that the Company stated that has reviewed and will comply with all Commission rules in coordination with its Federal Communication Commission requirements.

YOU ARE FURTHER NOTIFIED that the Application and Amended Application are available for public inspection during regular business hours at the Commission's office. These documents are also available on the Commission's website at www.puc.idaho.gov. Click on the "TELEPHONE" icon, select "Open Cases" and click on the case number as shown on the front of this document.

YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission's jurisdiction under Title 62 of the Idaho Code.

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

NOTICE OF MODIFIED PROCEDURE

YOU ARE FURTHER NOTIFIED that the Commission has determined that the public interest may not require a formal hearing in this matter, and that it will proceed under Modified Procedure pursuant to the Commission's Rules of Procedure 201-204, IDAPA 31.01.01.201-.204. The Commission notes that Modified Procedure and written comments have proven to be an effective means for obtaining public input and participation.

YOU ARE FURTHER NOTIFIED that persons desiring to state a position on this Application or Amended Application may file a written comment explaining why the person supports or opposes the Application or Amended Application. Persons who would like a hearing must specifically request a hearing in their written comments and explain why written comments alone are insufficient. **Persons interested in filing written comments must do so within 28 days of the service date of this Order.** Comments must be filed through the Commission's website or by e-mail unless computer access is unavailable. To comment electronically, please access the Commission's website at <http://www.puc.idaho.gov/>. Click the "Case Comment Form" and complete the form using the case number as it appears on the front of this document.

To file by e-mail, persons must e-mail the comments to the Commission Secretary and all parties at the e-mail addresses listed below. Persons submitting a comment by e-mail must provide their name, address, and the Case Number under which they are commenting. Persons submitting

a comment by e-mail also acknowledge that submitting a comment in an open case constitutes a public record under *Idaho Code* § 74-101(13), and all information provided by such person is available for public and media inspection.

If computer access is unavailable, then comments may be mailed to the Commission and the Parties at the addresses below. Persons submitting a comment by mail must provide their name, address, and the Case Number under which they are commenting. Persons submitting a comment by mail also acknowledge that submitting a comment in an open case constitutes a public record under *Idaho Code* § 74-101(13), and all information provided by such person is available for public and media inspection.

For the Idaho PUC:

Commission Secretary
Idaho Public Utilities Commission
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secretary@puc.idaho.gov

For the Company:

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YOU ARE FURTHER NOTIFIED that the Company must file any reply comments within 35 days of the service date of this Order.

YOU ARE FURTHER NOTIFIED that if no written comments or protests are received within the time limit set, the Commission will consider this matter on its merits and enter its Order without a formal hearing. If written comments are received within the time limit set, the Commission will consider them and, in its discretion, may set the same for formal hearing.

ORDER

IT IS HEREBY ORDERED that the Company's request for a CPCN be processed by Modified Procedure. Persons interested in submitting written comments must do so within 28 days of the service date of this Order. The Company must file any reply comments within 35 days of the service date of this Order.

IT IS FURTHER ORDERED that parties comply with Order No. 35375, issued April 21, 2022. Generally, all pleadings should be filed with the Commission electronically and will be deemed timely filed when received by the Commission Secretary. *See* Rule 14.02. Service between parties should continue to be accomplished electronically when possible. However, voluminous discovery-related documents may be filed and served on CD-ROM or a USB flash drive.

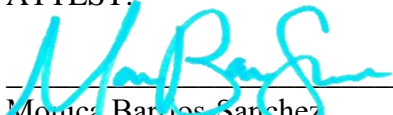
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 7th day of June 2024.


ERIC ANDERSON, PRESIDENT


JOHN R. HAMMOND JR., COMMISSIONER


EDWARD LODGE, COMMISSIONER

ATTEST:


Monica Barnes Sanchez
Commission Secretary

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