

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF OREGON) CASE NO. ORT-T-22-01
TELEPHONE CORPORATION'S)
APPLICATION FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY) ORDER NO. 35430
TO PROVIDE LOCAL EXCHANGE)
SERVICES WITHIN THE STATE OF IDAHO)

On January 18, 2022, Oregon Telephone Corporation (“Company”) applied for a Certificate of Public Convenience and Necessity (“CPCN”) to provide wholesale transport, retail broadband, Voice over Internet Protocol (“VoIP”) service, and local exchange services in Idaho.

On February 11, 2022, the Company filed an Amended Application (“Amended Application”) to provide more information not included in its initial application.

On March 9, 2022, the Commission issued Notice of Application and Notice of Modified Procedure and set deadlines for public comments and for the Company to reply.

On March 30, 2022, Staff filed the only comments in this case.

On April 21, 2022, the Company filed a Supplement to its Amended Application which included a copy of its Idaho Foreign Registration filing, and an Oregon Supplemental Articles of Incorporation Certificate.

On June 6, 2022, the Company filed a Supplemental Filing which included a map of its proposed service area in Idaho along with a short narrative regarding the service offering and service territory proposed by the Company.

Having reviewed the record, the Commission issues this Order approving the Company’s Application as follows.

THE AMENDED APPLICATION

The Company is an Oregon corporation authorized to do business in Idaho as a foreign corporation. Application at 1; Exhibit 2. The Company planned to “provide wholesale transport along with retail broadband and local exchange services” throughout Idaho. *Id.* at 1-3. The Company filed confidential financial statements. *Id.* at 3; Exhibit 3. The Company stated it would file a proposed price list but that broadband services and VoIP services would be provided on a de-tariffed basis with rates, and terms and conditions posted on its website (otconnections.net). *Id.* at 3. The Company asserted it would comply with all applicable Commission rules. *Id.*

STAFF COMMENTS

Staff recommended the Commission approve the Amended Application. After reviewing the Company's Application and Amended Application, Staff believed the Company possessed the requisite financial, managerial, and technical qualifications to provide telecommunication services, and believed the Company understood the Commission's rules and requirements related to the provision of telecommunication services in Idaho. Therefore, Staff recommended approval of the Amended 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 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 twelve months, indicating the number of basic local exchange customers it has and the services being offered; 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 Amended Application complies with the requirements to obtain a CPCN. Rule 114 sets the requirements that competitive local exchange carriers—such as the Company—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 needed information in its Amended Application, including financial information. The Company also 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 Amended Application for a CPCN, subject to these conditions:

- 1) The Company must comply with North American Number Plan Administrator requirements, as outlined in Commission Order No. 30425.
- 2) The Company must comply with all reporting and contribution requirements prescribed by the Idaho Universal Service Fund, Idaho Telecommunications Relay

Services, and Idaho Telecommunications Service Assistance Program, and all future reporting requirements deemed appropriate by the Commission for competitive telecommunications providers.

- 3) Before issuance of its CPCN, the Company must file with the Commission a final price list outlining its rates, terms, and conditions.
- 4) The Company must provide 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 on: October 3, 2022; February 1, 2022; and June 1, 2023. If the Company fails to timely provide any of these reports, the Company shall relinquish its CPCN and all telephone numbers it has been assigned or the Commission will by its own motion revoke the Company's CPCN.
- 5) 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.

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ORDER

IT IS HEREBY ORDERED that the Company's Amended 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 and 62-619.*

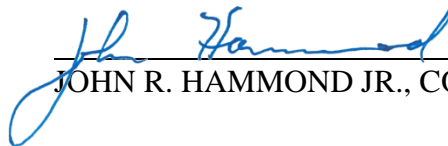
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 15th day of June 2022.



ERIC ANDERSON, PRESIDENT

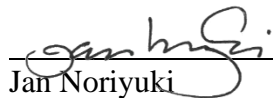


JOHN CHATBURN, COMMISSIONER



JOHN R. HAMMOND JR., COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

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