

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF TRUCONNECT)
COMMUNICATIONS, INC.’S APPLICATION)
FOR DESIGNATION AS AN ELIGIBLE)
TELECOMMUNICATIONS CARRIER)
_____)

CASE NO. TCC-T-24-01
ORDER NO. 36344

On March 4, 2024, TruConnect Communications, Inc. (“Company” or “TCC”) applied to the Idaho Public Utilities Commission (“Commission”) for designation as an Eligible Telecommunications Carrier (“ETC”) in the State of Idaho. The Company requested designation as an ETC for the sole purpose of providing Lifeline services. The Company also asked that it be allowed to participate and receive reimbursement from the Idaho Telephone Service Assistance Program (“ITSAP”). On May 1, 2024, the Company submitted an addendum to the Commission Secretary stating that the Company had provided notice to the tribal authorities within the State of Idaho.

On June 20, 2024, the Commission issued a Notice of Application and set deadlines for public comments and the Company’s reply. Order No. 36227. The Company submitted supplemental materials on July 9, 2024. The Commission Staff (“Staff”) filed comments to which the Company replied.

On August 8, 2024, the Commission issued a Notice of Supplemental Comment and Reply Deadlines. Order No. 36284.

THE APPLICATION

The Company is a subsidiary of TSC Acquisition Corporation (“TSC”). The Company stated that TSC owns several other companies in the telecommunication industry.

The Company uses Verizon Wireless and T-Mobile USA, Inc. as underlying carriers and has been granted ETC designation related specifically to Lifeline services in several states. According to the Company, the Federal Communications Commission has authorized it “to participate in the Affordable Connectivity Program throughout the United States, including Idaho.” Application at 4.

The Company requested a limited designation to be authorized to provide Lifeline service to qualifying Idaho consumers across the entire State of Idaho—including those on federally recognized Tribal lands.

The Company requested its designation as an ETC include authority to participate in and receive reimbursement from ITSAP. The Company indicated it was not eligible to receive funds from the Universal Service Fund and was not seeking such designation.

The Company is a common carrier that can provide the telecommunication services listed in its Application.

The Company stated that it meets all federal and state requirements for designation as an ETC. The Company also asserted that designating it as an ETC is in the public interest.

If approved, the Company represented that it will offer telecom services (including text messaging, various services related to phone calls, and broadband access) cost-effectively thereby increasing competition and customer service options within unserved and underserved areas to eligible customers. The Company will also provide emergency services to its customers and has the capabilities necessary to operate in emergency situations.

POSITIONS OF THE PARTIES

a. Staff's Initial Comments

Staff argued that the Company's request for ETC status should be denied. Staff summarized the Company's proposed offerings and reviewed the Commission's standards for granting ETC status. Staff argued that the Company failed to meet the necessary requirements for an ETC to remain functional in an emergency and promote the public interest.

b. The Company's Reply Comments

On July 18, 2024, the Company replied, arguing that the non-compliance items referred to by Staff were not actually requirements for obtaining ETC status. Therefore, the Company argued it should not be denied ETC status for not abiding by these non-mandatory items.

c. Staff's July 30, 2024, Decision Memorandum

Staff reviewed the Company's Reply Comments and believed that adding additional documentation and analysis to the record would place the Commission in the best position to make a fully informed decision. Staff recommended a supplemental comment period at the Commission's July 30, 2024, Decision Meeting. The Commission ordered a supplemental comment and reply period accordingly. Order No. 36284.

d. The Company's Unopposed Motion to Stay Proceedings

On August 15, 2024, the Company filed an Unopposed Motion to Stay Proceedings ("Motion") asking to stay the proceeding for up to six months while the Company figured out its

goal for TCC and a parallel company—Sage Telecom Communications, LLC dba TruConnect (“Sage”). TCC and Sage are both owned by TSC.

e. Staff’s Supplemental Comments

Staff filed supplemental comments on August 16, 2024, describing its understanding that it was not the intent of TSC for TCC and Sage to both offer the same services, in the same general area, under two different ETC designations. Rather, the intent was for TCC and Sage to have different owners—or to be sufficiently distinct to justify separate ETC designations. Because the Company did not yet know exactly what path forward it might take, Staff recommended that the Commission order a stay in this case for up to six months while the Company and its related entities solidified the details of their proposed plan. Once six months has elapsed, or the Company’s path forward is clear, whichever comes first, Staff will make the appropriate recommendation to the Commission based upon the information then available.

While the Company’s position was made clear in its August 15, 2024, Motion, the Company did not reply to Staff’s comments.

COMMISSION FINDINGS AND DECISION

The Commission has authority to grant ETC designation to a telecommunications carrier under federal and state law. 47 U.S.C. § 214(e); *Idaho Code* §§ 62-610D and 62-615(1). The Commission has considered the record, including the Company’s Application and the parties’ positions.

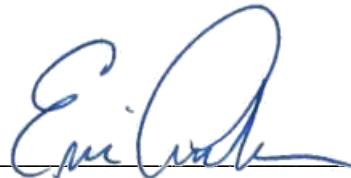
The Commission finds that the Company’s unopposed Motion and Staff’s recommendation to stay this case for up to six months is appropriate given the organizational structures presented in this case. Based upon the record, it appears that the Company’s goal may be appropriate, but the Commission is not inclined to provide ETC designation now given the uncertainty of potential outcomes for the Company and its related entities. For these reasons, the Commission encourages the Company to coordinate with Staff to submit this case for final Commission decision once the Company is confident in its proposed path forward regarding the Company’s request for ETC status. Staff shall promptly begin to process this case within six months from the issuance of this Order.

ORDER

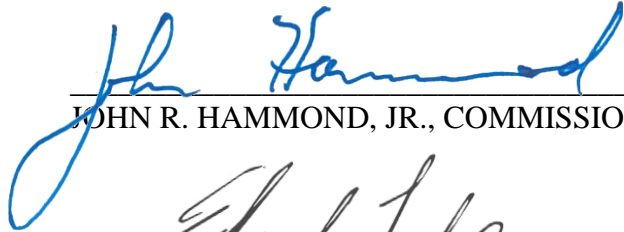
IT IS HEREBY ORDERED that this case is stayed for six months from the issuance of this order. Staff shall begin to process this case again once the stay ends or once the Company has shown Staff an acceptable path forward—whichever comes first.

THIS IS AN INTERLOCUTORY ORDER rather than a final and appealable Order of the Commission. While the Commission may review, stay, or clarify an interlocutory order, the period of reconsideration will not begin until the Final Order is issued.

DONE by order of the Idaho Public Utilities Commission at Boise, Idaho this 4th day of October 2024.



ERIC ANDERSON, PRESIDENT

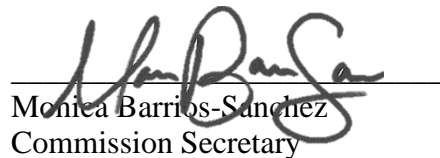


JOHN R. HAMMOND, JR., COMMISSIONER



EDWARD LODGE, COMMISSIONER

ATTEST:



Monica Barrios-Sanchez
Commission Secretary

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