

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF ZIPLY WIRELESS, LLC’S APPLICATION FOR COMPETITIVE LOCAL EXCHANGE CARRIER (CLEC) IN THE STATE OF IDAHO.) CASE NO. ZWL-T-22-01)) NOTICE OF APPLICATION)) NOTICE OF) MODIFIED PROCEDURE)) ORDER NO. 35573)
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On August 23, 2022, Ziplly Wireless, LLC, d/b/a Ziplly Fiber (“Company”)¹ applied for designation as a competitive local exchange carrier (“CLEC”) in Idaho. *Application* at 1. The Company plans to provide public telecommunications services—both voice and data—to residents and businesses. *Id.* The Company does not have balance sheets to provide, and instead attached the balance sheets of its parent company, Northwest Fiber, LLC. *Id.* at 3. The Company plans to offer services that are not subject to tariff in Idaho, including IP-based services, internet access, data transport, and voice-over-IP. The Company included an example “terms and conditions of services” that will be published on its website. *Id.*

The Commission now issues a Notice of Application and Notice of Modified Procedure, 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 asserts it is a Delaware limited liability company authorized to do business in Idaho. The Company also represents that it is a wholly owned subsidiary of Northwest Fiber, LLC. *Id.* at 2.

YOU ARE FURTHER NOTIFIED that the Company plans to begin construction in 2023, and then provide voice and data telecommunications services over its own facilities to residents and businesses in Boise, Idaho Falls, Lewiston, Meridian, Nampa, Pocatello, Rexburg, and Twin Falls. *Id.* at 2-3.

¹ The assumed business name “Ziplly Fiber” associated with Ziplly Wireless, LLC is documented in Idaho Secretary of State File # 0004859268.

YOU ARE FURTHER NOTIFIED that the Company asserts that while it is a new entrant to the Idaho telecommunications market, the Company is a registered CLEC in Oregon and Washington. *Id.* at 1. The Company represents it is affiliated with Ziplly Fiber Northwest LLC, and Ziplly Fiber of Idaho, LLC, both which provide telecommunications services in Idaho. *Id.*

YOU ARE FURTHER NOTIFIED that the Application and its Supplements 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 "TELECOM" 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 Titles 61 and 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 will proceed under Modified Procedure pursuant to Rules 201 through 204 of the Idaho Public Utilities Commission's Rules of Procedure, IDAPA 31.01.01.201 through .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 may file a written comment explaining why the person supports or opposes the Application. Persons who would like a hearing must specifically request a hearing in their written comments. **Persons interested in filing written comments must do so within twenty-one (21) days of the service date of this Order.** Comments must be filed through the Commission website or by e-mail unless computer access is unavailable. To comment electronically, please access the Commission's website at 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, the customer must e-mail the comments to the Commission Secretary and the Company at the e-mail addresses listed below. If computer access is unavailable, then comments may be mailed to the Commission and the Company at these addresses:

**For the Idaho Public Utilities
Commission:**

Commission Secretary
Idaho Public Utilities Commission
P.O. Box 83720
Boise, ID 83720-0074
secretary@puc.idaho.gov

For the Company:

Jessica Epley
VP-Regulatory & External Affairs
135 Lake Street South, Suite 155
Kirkland, WA 98033
jessicaepley@ziply.com

Street Address for Express Mail:

11331 W. Chinden Blvd.
Building 8, Suite 201-A
Boise, Idaho 83714

YOU ARE FURTHER NOTIFIED that the Company must file any reply comments **within twenty-eight (28) 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 Application be processed by Modified Procedure, Rules 201-204 (IDAPA 31.01.01.201-.204). Persons interested in submitting written comments must do so within twenty-one (21) days of the service date of this Order. The Company must file any reply comments within twenty-eight (28) 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 31st day of October 2022.



ERIC ANDERSON, PRESIDENT

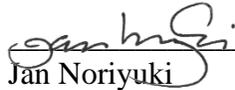


JOHN CHATBURN, COMMISSIONER



JOHN R. HAMMOND JR., COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

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