

DONOVAN E. WALKER
DEPUTY ATTORNEY GENERAL
IDAHO PUBLIC UTILITIES COMMISSION
PO BOX 83720
BOISE, IDAHO 83720-0074
(208) 334-0357
IDAHO BAR NO. 5921

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Street Address for Express Mail:
472 W. WASHINGTON
BOISE, ID 83702-5983

Attorney for the Commission Staff

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF THE APPLICATION)
OF COMMPARTNERS, LLC FOR A) CASE NO. CMP-T-04-1
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO PROVIDE)
FACILITIES-BASED AND RESALE LOCAL) COMMENTS OF THE
EXCHANGE AND INTEREXCHANGE) COMMISSION STAFF
SERVICES IN ELIGIBLE AREAS)
STATEWIDE.)
_____)**

COMES NOW the Staff of the Idaho Public Utilities Commission, by and through its Attorney of record, Donovan E. Walker, Deputy Attorney General, in response to the Notice of Application and Notice of Modified Procedure issued in Order No. 29691 on January 24, 2005, and submits the following comments.

BACKGROUND

On November 16, 2004, CommPartners, LLC filed an Application for a Certificate of Public Convenience and Necessity to provide facilities-based and resold local exchange and interexchange services in the State of Idaho. According to the Application, CommPartners is in the process of building an Internet Protocol (IP) based communications network throughout all 50 states and the District of Columbia. The network is designed to connect public and private IP

networks with the Public Switched Telephone Network (PSTN). The Company will provide the network needed for Voice-Over-Internet Protocol (VoIP) providers to originate and terminate IP-based communications, as well as allow for the termination of traditional circuit-switched telephone calls. The traffic to be carried over this network will be comprised of primarily information services traffic such as VoIP, as well as interstate, intrastate interLATA, intraLATA, and local traffic.

STAFF ANALYSIS

Staff has reviewed the information provided by CommPartners in its application and believes it satisfies the requirements of the Commission's Rule of Procedure 111, IDAPA 31.01.01.111, and Procedural Order No. 26665 issued November 7, 1996, which sets out the necessary information to be included with an application for a certificate.

The application indicated CommPartners intended to provide basic local exchange services to both residential and business customers using the Company's VoIP network. The application indicated the Company's primary market is wholesale service to other carriers and internet service providers, but that it would also occasionally provide service directly to end use customers. All CommPartners local exchange customers would need to obtain broadband service in order to utilize the Company's VoIP local exchange service. Service to Idaho customers would be provided through the Company's VoIP switch in Las Vegas, Nevada.

All CommPartner customer originated calls would be originated as data services and carried by IP to the Company's switch in Las Vegas. If the called party is also a VoIP customer, the call would remain on IP and terminated as a data service to that customer. If the called party uses traditional voice service, the call is converted to voice protocol and routed to that party through "the nearest RBOC/ILC/CLEC or wireless carrier's local telephone switch that serves the called party."

The application indicated the Company would initially provide service in the area currently served by Qwest and Verizon.

CommPartners is a relatively new telecommunications company that provides VoIP services nationwide, with switching centers in Las Vegas, New York, Chicago, and Atlanta. The application included resumes of key individuals that indicated extensive experience in the telecommunications field. The application included financial information that indicated the

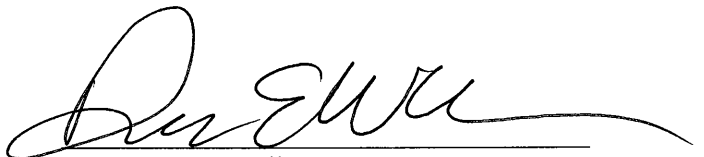
Company had adequate financial resources for a company at this stage of operation. Staff is satisfied that the Company has the technical, managerial and financial strength to provide the services identified in the application.

CommPartners specifically indicated in its application it will comply with all Commission rules. It has provided an illustrative tariff with its application that demonstrates an understanding of tariff requirements and processes.

STAFF RECOMMENDATIONS

There are many regulatory issues associated with VoIP services that have yet to be determined. It is possible that it may eventually be determined that the services provided by CommPartners are outside the jurisdiction of a state commission and may be provided without a Certificate. However, CommPartners is well aware of the uncertainty of the outcome of various proceedings in this regard and voluntarily sought a Certificate, and agreed to comply with the Commission's local exchange rules. Staff recommends that a Certificate of Public Convenience and Necessity to provide competitive local exchange service in Idaho be provided to CommPartners, LLC.

Respectfully submitted this 14th day of February 2005.



Donovan E. Walker
Deputy Attorney General

Technical Staff: Wayne Hart

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 14TH DAY OF FEBRUARY 2005, SERVED THE FOREGOING **COMMENTS OF THE COMMISSION STAFF**, IN CASE NO. CMP-T-04-01, BY MAILING A COPY THEREOF, POSTAGE PREPAID, TO THE FOLLOWING:

DAVID S CLARK
PRESIDENT
COMMPARTNERS LLC
3291 N BUFFALO DR SUITE 3
LAS VEGAS NV 89129-7437

KRISTOPHER E TWOMEY
LOKT CONSULTING
1515 E 14TH ST SUITE A
SAN LEANDRO CA 94577


SECRETARY