

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)
OF CUSTER TELEPHONE BROADBAND) **CASE NO. CTB-T-11-01**
SERVICES, LLC FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND) **NOTICE OF APPLICATION**
NECESSITY)
) **NOTICE OF**
) **MODIFIED PROCEDURE**
)
) **ORDER NO. 32340**

YOU ARE HEREBY NOTIFIED that on May 20, 2011, Custer Telephone Broadband Services, LLC (“CTBS” or “Company”) filed an Application, including a copy of its illustrative tariff, for a Certificate of Public Convenience and Necessity (“CPCN”), pursuant to *Idaho Code* §§ 61-526 through -528,¹ IDAPA 31.01.01.111 (Rule 111), and Procedural Order No. 26665, to provide competitive local exchange telecommunications services in Idaho.

YOU ARE FURTHER NOTIFIED that CTBS is an Idaho corporation and lists its principal place of business as Challis, Idaho. CTBS is registered with the Idaho Secretary of State as a limited liability company and lists Dennis L. Thornock, Custer Telephone Cooperative, Inc., as its Idaho registered agent for service.

YOU ARE FURTHER NOTIFIED that CTBS states the following regarding the telecommunications services it seeks to provide in Idaho:

[CTBS] is a facilities based provider providing multiple fiber to the premise (FTTP), cable-modem service, and point-to-point wireless. [CTBS] intends to upgrade and expand its facilities to provide basic local exchange service to its current customers and to potential customers in Salmon, Idaho and the surrounding areas. [CTBS] will also lease the facilities of Custer Telephone Cooperative, Inc. to provide the service. [CTBS] may also lease transport facilities from ILECs in the above referenced areas. . . .

YOU ARE FURTHER NOTIFIED that CTBS states that it intends to provide telecommunications services by November 2011, subject to Commission approval and the

¹ Pursuant to the Idaho Telecommunications Act of 1988, specifically *Idaho Code* § 62-604(1)(a), CTBS is exempt from Title 61 regulation.

execution of interconnection agreements with CenturyLink, Qwest and Custer Telephone Cooperative.

YOU ARE FURTHER NOTIFIED that CTBS's proposed service territory includes Salmon, Idaho and surrounding areas but may expand later to include CenturyLink's service area. CTBS has reviewed and has agreed to comply with all of the Commission's rules.

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 any person desiring to state a position on this Application may file a written comment in support or opposition with the Commission within twenty-one (21) days from the service date of this Notice. The comment must contain a statement of reasons supporting the comment. Persons desiring a hearing must specifically request a hearing in their written comments. Written comments concerning this Application shall be mailed to the Commission and the Applicant at the addresses reflected below:

Commission Secretary
Idaho Public Utilities Commission
PO Box 83720
Boise, ID 83720-0074

Street Address for Express Mail:

472 W. Washington Street
Boise, ID 83702-5918

Dennis L. Thornock
Shelly Helm
1101 E. Main Avenue
PO Box 324
Challis, Idaho 83226
E-mail: csr@custertel.net
dennis@custertel.net

These comments should contain the case caption and case number shown on the first page of this document. Persons desiring to submit comments via e-mail may do so by accessing the Commission's home page located at www.puc.idaho.gov. Click the "Comments and Questions" icon, and complete the comment form, using the case number as it appears on the front of this document. These comments must also be sent to the Applicant at the e-mail addresses listed above.

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.

YOU ARE FURTHER NOTIFIED that the Application has been filed with the Commission and is available for public inspection during regular business hours at the Commission offices. The Application is also available on the Commission's web site at www.puc.idaho.gov and by clicking on "File Room" and then "Telephone Cases."

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, specifically *Idaho Code* § 62-604 and 62-615. The Commission may enter any final Order consistent with its authority under Title 62 and Commission Rule of Procedure 114, IDAPA 31.01.01.114.

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.*

ORDER

IT IS HEREBY ORDERED that this Application be processed under Modified Procedure. Persons interested in submitting written comments regarding this case or protesting the use of Modified Procedure should do so no later than 21 days from the service date of this Order.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 29th
day of August 2011.



PAUL KJELLANDER, PRESIDENT




MACK A. REDFORD, COMMISSIONER



MARSHA H. SMITH, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

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