

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF CUSTER TELEPHONE)
COOPERATIVE, INC. AND MIDVALE) CASE NO. CUS-T-07-02
TELEPHONE EXCHANGE, INC.'S JOINT)
PETITION FOR AMENDMENT OF THEIR)
RESPECTIVE CERTIFICATED SERVICE) ORDER NO. 30291
AREA BOUNDARIES)**

On February 15, 2007, Custer Telephone Cooperative, Inc. and Midvale Telephone Exchange, Inc. filed a Joint Petition for Amendment of Certificated Service Area Boundaries. Midvale is an incumbent telephone provider regulated by the Commission pursuant to Title 61, Idaho Code. The Joint Petition states that the Companies' certificated service areas are contiguous, and Custer and Midvale participated in construction of a fiber optic ring to provide broadband service in their certificated areas west of Sunbeam, Idaho. As part of that project, the Companies agreed to a meet-point that was within Midvale's certificated service area. The parties agreed to jointly seek amendment of their respective boundaries to adjust Custer's certificated area to encompass its facilities up to the agreed upon meet-point.

At the time Custer and Midvale completed construction of the new meet-point, there were no customers of Midvale in the area encompassing the meet-point. According to the Joint Petition, there are now six residential customers in the subject area that currently receive service from Custer. Granting the Petition would remove the area from Midvale's certificated area and place it within Custer's certificated area.

On February 28, 2007, the Commission issued a Notice of Application and Notice of Modified Procedure to process the Application. Written comments were filed only by Commission Staff in response to the Notice. Staff reported that the only customers in the affected area are served by Custer, and that granting the Application would not affect Midvale's draw from the state Universal Service Fund. Staff recommended the Joint Petition to adjust the certificated service area boundaries of Custer and Midvale be approved.

On the record in this case, we find it reasonable and appropriate to approve the Joint Petition for Amendment of Certificated Service Area Boundaries filed by Midvale and Custer. Custer maintains a central office in Clayton, Idaho, which is in close proximity to the six

customers in the area. Those customers are already served by Custer, and placing their service area within Custer's certificated boundary is in the public interest.

ORDER

IT IS HEREBY ORDERED that the Joint Petition of Custer Telephone Cooperative, Inc. and Midvale Telephone Exchange, Inc. for Amendment of Their Respective Certificated Service Area Boundaries is approved. Custer's Certificate No. 308, and Midvale's Certificate No. 254, are amended to remove an area from Midvale's certificated area and add it to Custer's certificated area, as shown in a map, Exhibit C to the Joint Petition, and as legally described in Exhibit D and Exhibit E to the Joint Petition.

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.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 10th day of April 2007.



PAUL KJELLANDER, PRESIDENT

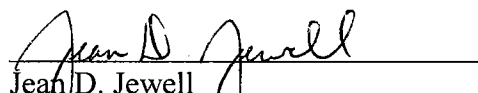


MARSHA H. SMITH, COMMISSIONER



MACK A. REDFORD, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

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