

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION OF)	
CUSTER TELEPHONE COOPERATIVE, INC.)	CASE NO. CUS-T-10-01
FOR AN INVESTMENT TAX CREDIT FOR)	
INSTALLING QUALIFIED BROADBAND)	
EQUIPMENT.)	ORDER NO. 32062
)	

On August 9, 2010, Custer Telephone Cooperative, Inc. filed an Application requesting approval of equipment for the broadband tax credit pursuant to Order No. 28784 and *Idaho Code* § 63-3029I(4). To be eligible for the tax credit, the taxpayer must obtain an Order from the Commission confirming that the equipment has been installed and that it meets the definition of qualified broadband equipment set out in *Idaho Code* § 63-3029I(3)(b). Qualified broadband equipment must be capable of transmitting signals at a rate of at least 200,000 bits per second (bps) to a subscriber and at least 125,000 bps from a subscriber. In this Order, we find that the Company’s investment meets the applicable standards.

THE APPLICATION

The Company’s Application identifies broadband investments during the year 2009. Custer maintains that it installed equipment associated with Asymmetric Digital Subscriber Line (ADSL) and Symmetrical Digital Subscriber Line (SDSL) services with transmission rates of 128 to 512 Kbps upstream and 512 Kbps to 8 Mbps downstream. The qualifying equipment was installed in Custer and Lemhi counties. The Company asserts that 5 out of 1,000 customers are served by the broadband network. The Company reported a total broadband investment in 2009 of approximately \$1,000,000.

STAFF REVIEW

To implement its responsibilities under *Idaho Code* § 63-3029I, the Commission issued Procedural Order No. 28784 in July 2001. This Order identifies information that must be included in an application for a broadband tax credit. Once the information is filed with the Commission, the Staff reviews the application and submits a recommendation to the Commission. Staff has reviewed the list of proposed broadband equipment submitted by the Company and believes that the equipment identified meets the statutory criteria. Staff therefore

recommended approval of the Application and further recommended that the Commission forward an approving Order along with a copy of the original Application to the Idaho State Tax Commission.

COMMISSION FINDINGS

Having reviewed the Company's Application and Staff's recommendation, we find that the Application for a qualifying broadband equipment Order should be granted. The Company has demonstrated that it installed qualifying broadband equipment, identified in its Application, during 2009 in conformance with *Idaho Code* § 63-3029I. We further find that as configured, the installed equipment is an integral part of a broadband network necessary to deliver broadband services to Idaho customers. Based on the foregoing, the Commission issues this Order confirming that Custer Telephone Cooperative, Inc. has installed qualified broadband equipment as a precondition to seeking an Idaho broadband tax credit. The Commission makes no findings regarding the costs of the installed broadband equipment.

ORDER

IT IS HEREBY ORDERED that Custer Telephone Cooperative, Inc.'s Application for an Order certifying that it has installed qualifying broadband equipment for 2009 is granted.

IT IS FURTHER ORDERED that a copy of this Order and a copy of the Application be served upon the Idaho State Tax Commission.

THIS IS A FINAL ORDER. Any person interested in this Order (or in issues finally decided by this Order) may petition for reconsideration within twenty-one (21) days of the service date of this Order with regard to any matter decided in 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, 63-3029I(4).

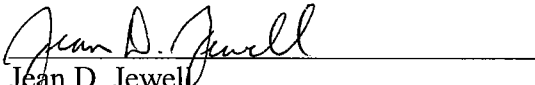
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho, this 1st
day of September 2010.


JIM D. KEMPTON, PRESIDENT


MARSHA H. SMITH, COMMISSIONER


MACK A. REDFORD, COMMISSIONER

ATTEST:


Jean D. Jewell
Commission Secretary

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