

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF THE APPLICATION)
OF ELTOPIA COMMUNICATIONS LLC) CASE NO. ECL-T-07-01
FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO)
PROVIDE LOCAL EXCHANGE AND) ORDER NO. 30442
TELECOMMUNICATIONS SERVICES)**

On June 6, 2007, Eltopia Communications LLC (“Eltopia”) filed an Application for a Certificate of Public Convenience and Necessity to provide basic local telephone exchange service throughout the State of Idaho pursuant to Commission Order No. 26665. Eltopia states that it has adopted the terms of the interconnection agreement between Northwest Telephone, Inc. and Verizon Northwest Inc. and that Verizon filed the adoption agreement in 2007. Application at 5.

THE APPLICATION

Eltopia is a Washington corporation and lists its principal place of business as Eltopia, Washington. *Id.* at 2. The Company is registered with the Idaho Secretary of State as a limited liability company and lists Registered Agent Solutions, Inc., 5481 Kendall Street, Boise, Idaho, 83706, as its Idaho registered agent. *Id.*

Eltopia stated that it has provided wholesale communications services within the State of Washington since 2006 and that the Company specializes in offering “a variety of services built on TDM to IP conversion,” including dial-up Internet, Fax over IP and Voice over IP, to regional Internet service providers. *Id.* Initially, the Company intends to offer the same services in Idaho and later expand to offer Voice Over IP services to retail and business customers. *Id.*

Eltopia claims that its service territory within Idaho will initially include northern Idaho, including Boundary, Bonner, Kootenai, Benewah and Shoshone counties. *Id.* at 4. Its services will coincide with that of Verizon Northwest Inc.’s Coeur d’Alene tandem, with the exception of its Voice over IP services which do not have a defined “Service Territory” and are largely interstate services in nature. *Id.* Thus, the Company asserts that it cannot accurately state whom it will compete with in regard to its Voice over IP services. *Id.*

STAFF COMMENTS

Staff reviewed the information provided by Eltopia's Application and determined that it satisfied the requirements outlined in Commission Rule of Procedure 111, IDAPA 31.01.01. 111, and Procedural Order No. 26665, setting forth the necessary information to be included with an application for a certificate.

Staff noted that Eltopia will offer telecommunications services using its own switch, and a combination of its own facilities and those of the underlying carrier, Verizon. Staff also mentioned the Company revealed that it will primarily provide high-speed data services and conversion to IP services that do not require certification. However, Staff recognized that because Eltopia's service has the capability to provide both voice and data services over the same trunk, the Company is seeking a Certificate so that it has the flexibility to configure its service according to its customer's specifications.

Staff mentioned further that it is satisfied that the Company has the technical, managerial and financial strength to provide the services identified in its Application and believes that the Company will comply with all Commission rules, as it stated in its Application. The Company has provided an illustrative tariff with its Application that demonstrates an understanding of tariff requirements and processes. The Company will not require advance deposits by its customers and therefore did not submit an executed copy of an escrow account.

Based upon the foregoing review, Staff recommended that the Commission approve Eltopia's Application for a Certificate of Public Convenience and Necessity.

COMMISSION FINDINGS

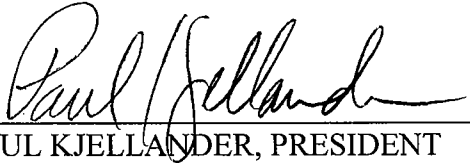
Based upon our review of the filing and the record in this case, the Commission finds that Eltopia's filing satisfies the requirements of the Commission's Rules and Procedural Order No. 26665. Thus, we approve Eltopia's Application for a Certificate of Public Convenience and Necessity to allow the Company to provide telecommunications services throughout the State of Idaho.

ORDER


IT IS HEREBY ORDERED that the Application of Eltopia Communications, LLC for a Certificate of Public Convenience and Necessity is granted to enable the Company to provide resold local exchange services throughout the State of Idaho.

THIS IS A FINAL ORDER. Any person interested in the 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.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 24th day of September 2007.



PAUL KJELLANDER, PRESIDENT

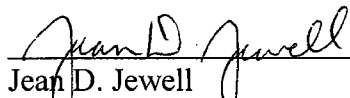


MARSHA H. SMITH, COMMISSIONER



MACK A. REDFORD, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

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