

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF THE PETITION OF)
IAT COMMUNICATIONS, INC. DBA NTCH-) CASE NO. GNR-T-03-8
IDAHO, INC. OR CLEAR TALK FOR)
DESIGNATION AS AN ELIGIBLE)
TELECOMMUNICATIONS CARRIER.)**

**IN THE MATTER OF THE APPLICATION)
OF NPCR, INC. DBA NEXTEL PARTNERS) CASE NO. GNR-T-03-16
SEEKING DESIGNATION AS AN ELIGIBLE)
TELECOMMUNICATIONS CARRIER.) ORDER NO. 29273**

On February 3 and April 28, 2003, respectively, Clear Talk and Nextel Partners filed Applications requesting that the Commission designate them as “Eligible Telecommunications Carriers” (“ETC”). On May 27, 2003, the Commission issued Order No. 29240 that directed the joint processing of these Applications. Order No. 29261 at 1. The Commission also ordered the Applications be processed by Modified Procedure under the Commission’s Rules of Procedure and set June 24, 2003 as the deadline for interested persons and parties to file written comments on the Companies’ Applications. *Id.* at 5-6. In addition, the Commission required that any party protesting the use of Modified Procedure file a written protest “stating why Modified Procedure should not be used” along with a request for an evidentiary hearing. *Id.* at 5.

On June 10, 2003, the Idaho Telephone Association (“ITA”) filed a protest opposing the use of Modified Procedure to process these Applications and requested that the Commission schedule this joint proceeding for a full evidentiary hearing. Nextel Partners filed a response on June 16. On June 17, 2003, Citizens Telecommunications Company of Idaho, Potlatch Telephone Company, CenturyTel of Idaho and CenturyTel of the Gem State filed a combined request to stay this proceeding pursuant to Commission Rules of Procedure 203 and 324.¹ These Companies did not request oral argument. They requested a stay until such time as the Federal Communications Commission (“FCC”) issues a ruling in Docket No. 96-45. In this Docket the FCC requested the Federal-State Joint Board on Universal Service to “review certain of the Commission’s rules relating to the high-cost universal support mechanisms to ensure that the

¹ Citizens Telecommunications Company of Idaho is the only Company in this group that has been granted intervention in this proceeding. *See* Order No. 29248.

dual goals of preserving universal service and fostering competition continue to be fulfilled.”² These Companies represented that a decision is anticipated in late 2003 or early 2004. These Companies also stated that in the event the Commission does not stay these proceedings, they supported ITA’s request for an evidentiary hearing.

COMMISSION FINDINGS

The Commission finds it is appropriate for the parties in this case to have the opportunity to respond to both the request for stay and the ITA’s request for an evidentiary hearing. Accordingly, the Commission suspends indefinitely the written comment deadline established by Order No. 29240 so that the parties may direct their energies toward responding to these procedural matters. The Commission shall require all parties, if they choose, to respond in writing regarding the need for stay and/or an evidentiary hearing no later than June 26, 2003.


ORDER

IT IS HEREBY ORDERED that the written comment deadline on substantive issues for this joint proceeding is suspended until further notice.

IT IS FURTHER ORDERED that all parties shall have until June 26, 2003 to respond to the request of Citizens et al for a stay of this proceeding and the Idaho Telephone Association’s request for an evidentiary hearing.

² *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Order FCC 02-307 (rel. Nov. 8, 2002) (*Referral Order*).

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 20th
day of June 2003.



PAUL KJEILANDER, PRESIDENT

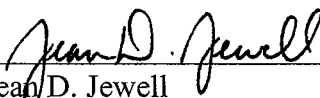


MARSHA H. SMITH, COMMISSIONER



DENNIS S. HANSEN, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

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