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IDAHO PUBLIC  
UTILITIES COMMISSION

*Attorneys for Idaho Telephone Association*

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

IN THE MATTER OF THE APPLICATION  
OF VERIZON AVENUE CORP. FOR A  
CERTIFICATE OF PUBLIC  
CONVENIENCE AND NECESSITY TO  
PROVIDE LOCAL EXCHANGE  
TELECOMMUNICATIONS SERVICES

Case No: GNR-T-03-26

**COMMENTS OF IDAHO TELEPHONE  
ASSOCIATION**

Idaho Telephone Association (“ITA”), through its attorneys Givens Pursley LLP, on behalf of its member independent local exchange carriers, and pursuant to IDAPA 31.01.01.203 and Commission Order 29454, hereby submits Comments on the above-captioned Application of Verizon Avenue Corp. (“Verizon Avenue”).

**COMMENTS**

1. The independent local exchange carriers on whose behalf ITA submits these Comments currently are the exclusive providers of basic local exchange service within their respective service areas pursuant to Certificates of Public Convenience and Necessity issued by the Idaho Public Utilities Commission (“Commission”).

2. Verizon Avenue’s Application seeks to provide facilities-based and resold competitive local exchange and interexchange services throughout the State of Idaho and

proposes to offer local, local toll, and interLATA toll services by resale in Idaho, outside of Verizon Northwest Inc. service area. Verizon Avenue also intends to provide Internet services, making high speed Internet service available to residential customers within the State of Idaho. Verizon Avenue intends to provide service via unbundled network elements and resold service of incumbent local exchange carriers (ILECs).

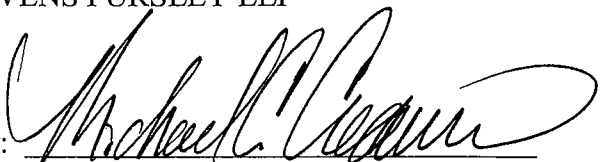
3. Each of ITA's member local exchange carriers meet the definitions of a "Common Carrier," "Telecommunications Carrier" and "Rural Telephone Carrier" under the Federal Telecommunications Act of 1996 ("1996 Act").

4. Verizon Avenue has not made a bona fide request to ITA's members for interconnection, services or network elements.

5. Any grant of certificate authority to Verizon Avenue should be made expressly subject to the exemption of ITA members from the obligations of incumbent local exchange carriers under section 251(c) of the 1996 Act, until such time as the requirements for lifting such exemption contained in section 251(f) of the 1996 Act have been met.

Respectfully submitted this 20<sup>th</sup> day of April 2004.

GIVENS PURSLEY LLP

By: 

Conely E. Ward  
Michael C. Creamer

*Attorneys for Idaho Telephone  
Association*

**CERTIFICATE OF SERVICE**


I hereby certify that on this 20<sup>th</sup> day of April 2004, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

Commission Secretary  
Idaho Public Utilities Commission  
472 W. Washington Street  
Boise, ID 83720-5983

U.S. Mail  
 Facsimile  
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Verizon Avenue Corp.  
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Michael C. Creamer