

## **IDAHO PUBLIC UTILITIES COMMISSION**

**Case No. GNR-T-04-2, Order No. 29597**

**September 22, 2004**

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### **Commission grants motion to dismiss Soldiers Meadow case**

Boise – The Idaho Public Utilities Commission today granted a motion by Qwest Corp. to dismiss a complaint by Nez Perce County residents who wanted the telephone company to extend service to their area.

Residents of the Soldiers Meadow Reservoir area wanted Qwest to extend landline service to their properties, most of which are summer homes. Soldiers Meadow is outside Qwest's service territory. The commission agreed that Qwest is not obligated to serve the approximate 22 customers unless they are willing to pay the approximate \$7,800 per customer to extend the service. Qwest estimated construction costs would be at least \$180,000. Six of 22 residents who responded to a commission survey said they would pay up to \$1,000, six said they would pay up to \$200 and 10 said they were not willing to pay any of the costs.

In granting Qwest's motion to dismiss, the commission noted that only about seven property owners are full-time residents of Soldiers Meadow and that all residents were aware landline telephone service was not available when they purchased their properties.

Soldiers Meadow residents maintained they should be allowed service without installation charges because residents of Forest, four miles away, receive service. However, Forest is within Qwest's service territory. Forest residents qualified for service without capital contributions under a tariff Qwest no longer uses. Under the new Qwest tariff, customers inside Qwest territory can qualify for a \$1,600 credit toward installation costs, but are responsible to pay all costs above the credit amount. "It is indisputable that even if Soldiers Meadow were part of Qwest's service area, making the line extension tariff applicable, the citizens are not willing to pay the construction costs above the \$1,600 customer credit," the commission said.

The commission's order closes the case, but interested parties have until Oct 13 to seek reconsideration. Petitions for reconsideration must set forth specifically why the petitioner contends that the order is unreasonable, unlawful or erroneous. Petitions should include a statement of the nature and quantity of evidence the petitioner will offer if reconsideration is granted.

Petitions can be delivered to the commission at 472 W. Washington St. in Boise, mailed to P.O. Box 83720, Boise, ID, 83720-0074, or faxed to 208-334-3762.

Documents related to this case, including those from Qwest as well from Soldiers Meadow residents, can be accessed on the commission's Web site at [www.puc.state.id.us](http://www.puc.state.id.us). Click on "File Room," then on "Telecommunications Cases," and scroll down to Case No. GNR-T-04-2.