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Attorney for the Commission Staff

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)
OF MY CHOICE COMMUNICATIONS, INC.) CASE NO. MCC-T-06-1
DBA MCCI FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY.)
) COMMENTS OF THE
) COMMISSION STAFF
)
)
)

COMES NOW the Staff of the Idaho Public Utilities Commission, by and through its Attorney of record, Donovan E. Walker, Deputy Attorney General, in response to the Notice of Application and Notice of Modified Procedure issued in Order No. 30077 on July 3, 2006, and submits the following comments.

BACKGROUND

On March 30, 2006, My Choice Communications, Inc. dba MCCI, (MCCI; Company) filed an Application with the Commission for a Certificate of Public Convenience and Necessity to provide resold and/or facilities-based local exchange services in Idaho exchanges currently served by Qwest.

According to the Company's Application, MCCI is a privately held corporation organized under the laws of the State of Idaho. The Company's principal place of business is located at Pocatello, Idaho. MCCI proposes to offer residential and small business basic

exchange service as well as business class local loop connectivity and transmission necessary to connect business customers to interexchange carrier points of presence.

The Application states that the Company does not anticipate installing any physical plant at this time, and will lease Qwest's unbundled network element platform. MCCI states that as the market for its services and its business plans dictate that it may eventually lease or deploy its own switches within existing carrier hotels or other leased premises, but no physical construction of fiber optic or copper cables is anticipated, now or in the future. The Company is currently negotiating an interconnection agreement with Qwest. The Application contains a written statement that the Applicant is familiar with the Commission rules and agrees to comply with them. A proposed initial tariff was filed with the Application, and a replacement tariff was filed on June 20, 2006.

STAFF ANALYSIS

Staff has reviewed the information provided by MCCI in its Application and believes it satisfies the requirements of the Commission's Rule of Procedure 111, IDAPA 31.01.01.111, and Procedural Order No. 26665 issued November 7, 1996, which sets out the necessary information to be included with an application for a certificate. MCCI's Application includes all of the required information.

MCCI provided resumes of its key personnel that identified a broad range of expertise in communications related businesses. The Application included unaudited financial information. Staff is satisfied that the Company has the technical, managerial and financial strength to provide the services identified in the Application.

MCCI specifically stated in its Application it will comply with all Commission rules. It 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.

STAFF RECOMMENDATION

Staff recommends that a Certificate of Public Convenience and Necessity to provide competitive local exchange service in Idaho be granted to My Choice Communications, Inc.

Respectfully submitted this 20th day of July 2006.

A handwritten signature in black ink, appearing to read "Don Walker", written over a horizontal line.

Donovan E. Walker
Deputy Attorney General

Technical Staff: Wayne Hart

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 20TH DAY OF JULY 2006, SERVED THE FOREGOING **COMMENTS OF THE COMMISSION STAFF**, IN CASE NO. MCC-T-06-01, BY MAILING A COPY THEREOF, POSTAGE PREPAID, TO THE FOLLOWING:

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