

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)
OF NEW EDGE NETWORK, INC. DBA) **CASE NO. NEN-T-11-01**
EARTHLINK BUSINESS FOR A)
CERTIFICATE OF PUBLIC) **NOTICE OF APPLICATION**
CONVENIENCE AND NECESSITY TO)
PROVIDE LOCAL EXCHANGE) **NOTICE OF**
TELECOMMUNICATIONS SERVICES) **MODIFIED PROCEDURE**
)
) **ORDER NO. 32574**

On October 20, 2011, New Edge Network, Inc. dba EarthLink Business applied to the Commission for a Certificate of Public Convenience and Necessity (CPCN) authorizing the Company to provide resold and facilities-based local exchange telecommunications service to business customers in Idaho. The Company amended its Application on June 4, 2012.

NOTICE OF APPLICATION

YOU ARE HEREBY NOTIFIED that New Edge states it is a Delaware Corporation that is authorized to do business in Idaho. The Company says it has no Idaho offices, its principal place of business is in Georgia, and it is a wholly owned indirect subsidiary of EarthLink, Inc. *See* Application at 2-3, 5.

YOU ARE FURTHER NOTIFIED that with this Application, New Edge seeks to provide wireline local telecommunications service including local exchange service and exchange access service. The Company primarily will provide local exchange service through the resale of the services of other carriers. The Company says it also may provide facilities-based local exchange service using its own facilities, facilities leased from other carriers, or a combination of both. *Id.* at 1-2.

YOU ARE FURTHER NOTIFIED that New Edge proposes to provide service in areas currently serviced by CenturyLink and Frontier. The Company says it does not seek to provide service in areas currently serviced by small or rural carriers. *See* Amendment to Application at 1. The Company also says it is developing an Idaho marketing strategy using a professionally trained sales force, and that it will initiate interconnection negotiations once it receives its CPCN. *Id.* at 6-8.

NOTICE OF MODIFIED PROCEDURE

YOU ARE FURTHER NOTIFIED that the Commission has determined that the public interest may not require a formal hearing in this matter and will proceed under Modified Procedure pursuant to Rules 201 through 204 of the Idaho Public Utilities Commission’s Rules of Procedure, IDAPA 31.01.01.201 through .204. The Commission notes that Modified Procedure and written comments have proven to be an effective means for obtaining public input and participation.

YOU ARE FURTHER NOTIFIED that any person desiring to state a position on this Application may file a written comment in support or opposition with the Commission within twenty-one (21) days from the service date of this Notice. The comment must contain a statement of reasons supporting the comment. Persons desiring a hearing must specifically request a hearing in their written comments. Written comments concerning this Application shall be mailed to the Commission and the Applicant at the addresses reflected below:

Commission Secretary
Idaho Public Utilities Commission
PO Box 83720
Boise, ID 83720-0074

Jean L. Kiddoo
Brett P. Ferenchack
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Street Address for Express Mail:

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These comments should contain the case caption and case number shown on the first page of this document. Persons desiring to submit comments via e-mail may do so by accessing the Commission’s home page located at www.puc.idaho.gov. Click the “Comments and Questions” icon, and complete the comment form, using the case number as it appears on the front of this document. These comments must also be sent to the Applicant at the e-mail address listed above.

YOU ARE FURTHER NOTIFIED that if no written comments or protests are received within the time limit set, the Commission will consider this matter on its merits and

enter its Order without a formal hearing. If written comments are received within the time limit set, the Commission will consider them and, in its discretion, may set the same for formal hearing.

YOU ARE FURTHER NOTIFIED that the Application has been filed with the Commission and is available for public inspection during regular business hours at the Commission offices. The Application is also available on the Commission's web site at www.puc.idaho.gov by clicking on "File Room" and then "Telephone Cases."

YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission's jurisdiction under Title 62 of the Idaho Code. The Commission may enter any final Order consistent with its authority under Title 62 and Commission Rule of Procedure 114, IDAPA 31.01.01.114.

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

ORDER

IT IS HEREBY ORDERED that this Application be processed under Modified Procedure. Persons interested in submitting written comments regarding this case or protesting the use of Modified Procedure should do so no later than 21 days from the service date of this Order.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 19th
day of June 2012.



PAUL KELLANDER, PRESIDENT




MACK A. REDFORD, COMMISSIONER



MARSHA H. SMITH, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

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