

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)	
OF ORBITCOM, INC. FOR A CERTIFICATE)	CASE NO. ORB-T-03-1
OF PUBLIC CONVENIENCE AND)	
NECESSITY TO PROVIDE LOCAL)	
EXCHANGE TELECOMMUNICATIONS)	ORDER NO. 29516
SERVICES.)	

On November 24, 2003, OrbitCom, Inc. filed an Application for a Certificate of Public Convenience and Necessity to provide facilities-based local exchange and interexchange telecommunications services within the State of Idaho. OrbitCom is a privately held corporation formed under the laws of the State of South Dakota and operates from its headquarters in that State. On May 11, 2004, the Commission issued a Notice of Application and Notice of Modified Procedure to process OrbitCom's Application.

Staff reviewed the Application filed by OrbitCom and filed written comments. Staff noted that OrbitCom intends to provide local exchange service and long-distance services only to areas served by Qwest Corporation. OrbitCom has been granted authority to provide local services in other states including Colorado, Wyoming and Montana. Staff reviewed the financial information provided by the Company and believes the Company is solvent. Staff stated the Company's filing satisfies the requirements of the Commission's Rules and Procedural Order No. 26665 that sets forth the filing requirements for a CPCN for competitive local exchange carriers. Staff recommended the Commission approve the Application of OrbitCom, Inc. for a Certificate of Public Convenience and Necessity.

Written comments were also filed by the Idaho Telephone Association. As it has in other cases where CLECs are requesting authority to provide services throughout the state, ITA recommended the Order approving the Certificate to QCC recognize the exemption of rural telephone carriers from the obligations of incumbent local exchange carriers under Section 251(c) of the 1996 Telecommunications Act.

The Commission finds that OrbitCom has satisfied all the requirements of the Commission's Rules and Procedural Order No. 26665 setting forth the requirements for an application for a Certificate of Public Convenience and Necessity. The Commission therefore

approves the Application of OrbitCom, Inc. If the Company makes a bona fide request for interconnection with a rural telephone company, Section 251(f)(1)(B) of the Telecommunications Act requires that notice of its request be submitted to the Commission.

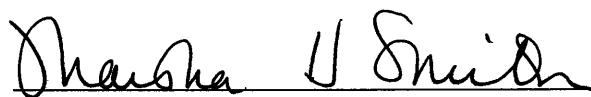
ORDER

IT IS HEREBY ORDERED that the Application of OrbitCom, Inc. for a Certificate of Public Convenience and Necessity is granted to enable the Company to provide basic local exchange services within the State of Idaho. Furthermore, this grant of a CPCN to OrbitCom is subject to the exemption of rural telephone carriers, if applicable, from the obligations of incumbent local exchange carriers under Section 251(c) of the 1996 Act, until such time as the requirements for lifting the exemption have been met.

THIS IS A FINAL ORDER. Any person interested in this Order (or in issues finally decided by this Order) or in interlocutory Orders previously issued in this Case No. ORB-T-03-1 may petition for reconsideration within twenty-one (21) days of the service date of this Order with regard to any matter decided in this Order or in interlocutory Orders previously issued in this Case No. ORB-T-03-1. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. See *Idaho Code* § 61-626.

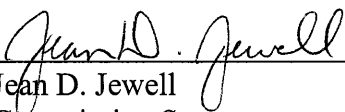
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 7th
day of June 2004.


PAUL KJELLANDER, PRESIDENT


MARSHA H. SMITH, COMMISSIONER


DENNIS S. HANSEN, COMMISSIONER

ATTEST:


Jean D. Jewell
Commission Secretary

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