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UTILITIES COMMISSION

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Attorney for the Commission Staff

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

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

COMES NOW the Staff of the Idaho Public Utilities Commission, by and through its Attorney of record, Weldon B. Stutzman, Deputy Attorney General, in response to Order No. 29492, the Notice of Application and Notice of Modified Procedure in Case No. ORB-T-03-1 issued on May 11, 2004, and submits the following comments.

BACKGROUND

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 telecommunication 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. OrbitCom has filed a copy of its Certificate of Authority issued by the Idaho Secretary of State.

The Company does not maintain an office in Idaho, but it does have a registered in-state agent. OrbitCom submitted financial statements for the period ending September 2003. Staff has reviewed these documents and believes the Company is solvent.

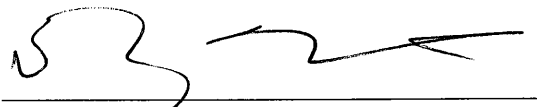
With this Application OrbitCom proposes to provide local exchange service and long distance services focusing on business customers in areas served by Qwest Corporation. The Company has not yet obtained an Idaho interconnection agreement with Qwest. OrbitCom did not submit a service area map as part of its Application but asked that the Commission reference Qwest's service area maps already on file at the Commission. OrbitCom's Application further states that it will bill its customers directly with the Company name and contact information on each invoice.

OrbitCom has been granted authority to provide local exchange service in several other states including Colorado, Wyoming and Montana. The Company asserts that granting its Application for a Certificate is in the public interest because OrbitCom's entry into the local telecommunications services market will enhance competition in Idaho. OrbitCom also states that it has reviewed the rules of this Commission and affirms its commitment to abide by them.

STAFF RECOMMENDATION

Staff has reviewed the Application submitted by OrbitCom, Inc. and believes the Company understands and agrees to comply with the Commission's rules and requirements. Based on this review of OrbitCom's Application, Staff believes that the Company's filing has satisfied all the requirements of the Commission's Rules and Procedural Order No. 26665. Therefore, Staff recommends approval of the Application for Certificate of Public Convenience and Necessity.

Respectively submitted this *20th* day of May 2004.



Weldon B. Stutzman
Deputy Attorney General

Technical Staff: Doug Cooley

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 20TH DAY OF MAY 2004,
SERVED THE FOREGOING **COMMENTS OF THE COMMISSION STAFF**, IN
CASE NO. ORB-T-03-1, BY MAILING A COPY THEREOF, POSTAGE PREPAID, TO
THE FOLLOWING:

BRAD VANLEUR
ORBITCOM INC
1701 N LOUISE AVE
SIOUX FALLS SD 57107



SECRETARY