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Attorney for the Commission Staff

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF THE APPLICATION OF)
SPECTROTEL, INC. DBA ONE TOUCH) CASE NO. SPE-T-11-01
COMMUNICATIONS AND DBA TOUCH BASE)
COMMUNICATIONS FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY TO) COMMENTS OF THE
PROVIDE LOCAL EXCHANGE) COMMISSION STAFF
TELECOMMUNICATIONS SERVICES IN)
IDAHO)
_____)**

The Staff of the Idaho Public Utilities Commission, by and through its Attorney of Record, Donald L. Howell II, Deputy Attorney General, submits the following comments.

BACKGROUND

On October 17, 2011, Spectrotel, Inc. dba One Touch Communications and dba Touch Base Communications (“Spectrotel” or the “Company”) filed its initial Application requesting that the Commission issue a Certificate of Public Convenience and Necessity (CPCN) to provide facilities-based and resold local exchange services within Idaho. Spectrotel also declared that it intends to resell interexchange telecommunications services to Idaho customers. On November 10, 2011, and again on May 2, 2012, Spectrotel amended its Application and model tariff pages to comply with the filing requirements set out in Rule 114, IDAPA 31.01.01.114.

The Company intends to begin offering its services once the Commission has issued a CPCN and approved Spectrotel's interconnection agreement(s) with other carriers. *Id.* Spectrotel is requesting authority to provide basic resold and facilities-based local exchange services throughout the state of Idaho in all exchanges not exempt from competition. Initially, the Company intends to offer services in the geographic areas currently served by Qwest Corporation dba CenturyLink. The Company's local exchange service will mirror the basic local calling areas of the incumbent local exchange carrier (ILEC), CenturyLink. Spectrotel intends to provide service via unbundled network element platforms (UNE-P) facilities and resale arrangements with ILECs.

On June 6, 2012, Spectrotel requested to withdraw its proposed access tariff, Idaho Tariff No. 2, which was previously submitted in this proceeding. The Company does not anticipate billing for intrastate switched access services in Idaho in the near future.

STAFF ANALYSIS

Spectrotel proposes to provide facilities-based and resold local exchange services through the combination of its facilities and the resale of other carriers' facilities and network elements to business and residential customers throughout Idaho. The Company is principally located in Neptune, New Jersey and is incorporated in Delaware. Application at 3. The Company states that it is authorized by the Idaho Secretary of State to conduct business in Idaho.

Spectrotel does not intend to provide operator assistant services itself. It intends to rely upon the underlying carrier to "handle calls that require operator assistance." Amended Application at 1. In addition, Spectrotel does not intend to route or handle 911 emergency calls; such calls will be routed through the underlying carrier to the appropriate 911 emergency agency.

Spectrotel states that it has reviewed the Commission's rules applicable to local exchange service providers in Idaho and agrees to provide service in accordance with all laws, rules and Orders to the extent they are not preempted by the federal Telecommunications Act. Rule 114.07, IDAPA 31.01.01.114.07. Spectrotel will not require advanced payments or deposits; therefore, no escrow account is being filed with this Application.

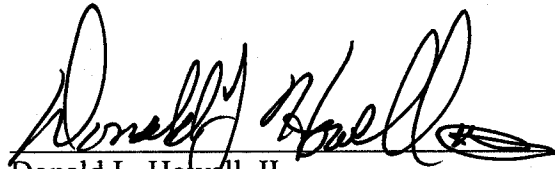
Spectrotel asserts that it possesses the experience and financial ability to provide local and long-distance services within Idaho. The Company maintains that the services it proposes to provide will increase the competitive choices available to customers within Idaho. Consequently, it asserts that its Application for a Certificate is in the public interest.

STAFF RECOMMENDATION

Staff has reviewed Spectrotel's Application and believes the Company understands the Commission's rules and requirements related to the provision of telecommunication services in Idaho. The Company asserts it will comply with all applicable rules, requirements and Orders. Rule 114.07, IDAPA 31.01.01.114.07. Based on this review, Staff also believes that Spectrotel possess the requisite financial, managerial, and technical qualifications necessary to provide telecommunications services. Therefore, Staff recommends that the Commission issue a CPCN to Spectrotel, subject to the following conditions:

1. The Company must comply with all number pooling and reporting requirements of the North American Number Plan Administrator. See Commission Order No. 30425 and Rule 114.08;
2. The Company must comply with all reporting and contribution requirements as prescribed by the Idaho Universal Service Fund, Idaho Telecommunications Relay System, Idaho Telecommunications Service Assistance Program; and
3. The Company must comply with all future reporting requirements deemed appropriate by the Commission for competitive telecommunications providers.

Respectfully submitted this 10th day of July 2012.


Donald L. Howell, II
Deputy Attorney General

Technical Staff: Carolee Hall

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 10TH DAY OF JULY 2012, SERVED THE FOREGOING **COMMENTS OF THE COMMISSION STAFF**, IN CASE NO. SPE-T-11-01, BY MAILING A COPY THEREOF, POSTAGE PREPAID, TO THE FOLLOWING:

SHARON THOMAS CONSULTANT
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SECRETARY

CERTIFICATE OF SERVICE