

NEIL PRICE
DEPUTY ATTORNEY GENERAL
IDAHO PUBLIC UTILITIES COMMISSION
PO BOX 83720
BOISE, IDAHO 83720-0074
(208) 334-0314
BAR NO. 6864

RECEIVED
2009 OCT 20 PM 2:40
IDAHO PUBLIC
UTILITIES COMMISSION

Street Address for Express Mail:
472 W. WASHINGTON
BOISE, IDAHO 83702-5918

Attorney for the Commission Staff

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION OF)
ALEC, INC. FOR A CERTIFICATE OF PUBLIC) CASE NO. ALE-T-09-1
CONVENIENCE AND NECESSITY TO)
PROVIDE LOCAL EXCHANGE TELECOM-)
MUNICATIONS SERVICES WITHIN THE) COMMENTS OF THE
STATE OF IDAHO) COMMISSION STAFF
)

COMES NOW the Staff of the Idaho Public Utilities Commission, by and through its attorney of record, Neil Price, Deputy Attorney General, and in response to the Notice of Application and Notice of Modified Procedure issued in Order No. 30907 on September 29, 2009, in Case No. ALE-T-09-1, submits the following comments.

BACKGROUND

On June 12, 2009, ALEC, Inc. (“ALEC” or “the Company”) filed an Application for a Certificate of Public Convenience and Necessity to provide local exchange telecommunications services in the State of Idaho pursuant to *Idaho Code* §§ 61-526 through -528, IDAPA 31.01.01.111 and Commission Order No. 26665.

ALEC seeks authority to offer its customers facilities-based and resold competitive local exchange and interexchange telecommunications services throughout the State of Idaho. The Company also proposes to offer “wholesale switching and interconnection services to other

telephone service providers and similarly-positioned wholesale business customers.” The Company will compete with current Idaho incumbent local exchange carriers (“ILECs”) Qwest North, Qwest South and Verizon Northwest Inc.

ALEC is incorporated in Kentucky and is registered in the State of Idaho as a foreign corporation. The Company is wholly-owned by SinglePipe Communications, Inc. The Company currently has no principal address within the State of Idaho and identifies National Registered Agents, Inc. as its registered agent for service of process.

STAFF REVIEW

In its Application, ALEC states that it intends to offer facilities-based and resold competitive local exchange and interexchange telecommunications services throughout the state of Idaho. Application at 2. ALEC’s future plans are to expand its offerings to retail, private line services, and residential customers. *Id.* at 5.

ALEC affirms that it has reviewed all of the Commission rules and agrees to comply with them. *Id.* at 6.

The Company states it is certificated, registered or otherwise authorized to provide interexchange and local exchange telecommunications services in the States of Alabama, California, Florida, Georgia, Kansas, Kentucky, Mississippi, Nebraska, Nevada, North Carolina, Ohio, South Carolina, Tennessee, Texas and Washington. *Id.* at 1

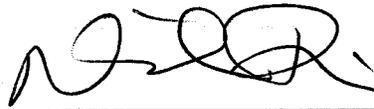
With its Application, ALEC included a copy of the initial tariff and price sheets. Application, Exhibit A. The Company also provided copies of Income Statements and Balance Sheets for SinglePipe Communications, Inc. for the reporting period ending on December 31, 2008 and March 31, 2009. Application, Confidential Attachment.

STAFF RECOMMENDATION

Staff has reviewed the Application for ALEC and believes the Company understands and agrees to comply with Commission Rules of Procedure 111 (IDAPA 31.01.01.111) and Procedural Order No. 26665. Staff believes that the Company possesses the requisite financial, managerial, and technical qualifications necessary to operate as a provider of telecommunications services. Staff, therefore, recommends Commission approval of the Application for a Certificate of Public Convenience and Necessity subject to the following conditions:

1. Compliance with the Number Pool Administration and Idaho Commission Order No. 30425 mandating number resource utilization forecast (NRUF) reporting requirements;
2. Contribution to the Idaho Universal Service Fund (USF), Idaho Telecommunications Relay Service (TRS), Idaho Telephone Service Assistance Program (ITSAP), and any future reporting requirements deemed appropriate for competitive telecommunications providers;
3. Upon approval of this Application, ALEC will issue a final price list under Case No. ALE-T-09-1, at which time a certificate will be issued; and
4. The Company agrees that it will relinquish its certificate and any telephone numbers if it is not doing business within one year of its issuance of a CPCN.

Respectfully submitted this 20th day of October 2009.



Neil Price
Deputy Attorney General

Technical Staff: Grace Seaman

i:umisc:comments/alet09.1npgs comments

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 20TH DAY OF OCTOBER 2009, SERVED THE FOREGOING **COMMENTS OF THE COMMISSION STAFF**, IN CASE NO. ALE-T-09-01, BY MAILING A COPY THEREOF, POSTAGE PREPAID, TO THE FOLLOWING:

CATHERINE M. HANNAN
HELEIN & MARASHLIAN LLC
SUITE 301
1483 CHAIN BRIDGE RD.
McLEAN, VA 22101
E-MAIL: cmh@commlawgroup.com



SECRETARY

CERTIFICATE OF SERVICE