

## DECISION MEMORANDUM

**TO:** COMMISSIONER KJELLANDER  
COMMISSIONER RAPER  
COMMISSIONER ANDERSON  
COMMISSION SECRETARY  
COMMISSION STAFF

**FROM:** SEAN COSTELLO  
DEPUTY ATTORNEY GENERAL

**DATE:** JANUARY 10, 2018

**SUBJECT:** BIRCH COMMUNICATIONS, INC.'S APPLICATION FOR A  
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY; CASE  
NO. BIR-T-18-01

On November 28, 2017, Birch Communications, Inc. (Birch) applied to the Commission for a Certificate of Public Convenience and Necessity (CPCN) authorizing it to provide local and long distance telecommunications service in Idaho. Birch supplemented its initial Application on December 19, 2017.

### THE APPLICATION

Birch is a Georgia corporation, authorized to do business in Georgia and is located at 320 Interstate North Pkwy SE, Atlanta, GA 30339. It is registered with the Idaho Secretary of State and its Foreign Certificate of Registration is attached to the December 19, 2017, Supplement to its Application. Birch proposes, and requests authority, to offer resold local exchange and long distances services statewide within the State of Idaho. Application at 1.

Birch states that it plans to provide service to “large business customers” in the incumbent local exchange carrier (ILEC) territories of CenturyLink and Frontier utilizing “a mix of its own facilities (located in other state), unbundled network elements (‘UNEs’) or UNE-replacement services from ILECs, and other ILEC-provided services . . . .” *Id.* at 4.

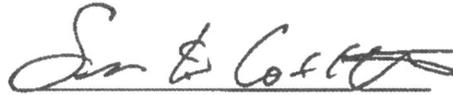
Birch has reviewed and agrees to comply with all Commission rules. *Id.* at 6.

### STAFF RECOMMENDATION

Staff recommends that the Commission process Birch Communication’s Application under Modified Procedure with a 21-day comment period.

**COMMISSION DECISION**

Does the Commission wish to process Birch Communication's Application under Modified Procedure with a 21-day comment period?



Sean Costello  
Deputy Attorney General

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