

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF THE APPLICATION)
OF NATIVE NETWORK, INC. TO) CASE NO. NNI-T-17-01
REGISTER AS A WHOLESALE)
TELECOMMUNICATIONS PROVIDER IN) ORDER NO. 33819
IDAHO)**

On March 2, 2017, Native Network, Inc. (“Native”) applied to the Commission, per Procedural Order No. 32277 and IDAPA 31.01.01.114, for registration as a wholesale provider of telecommunications service in Idaho. The Commission issued a Notice of Application and Notice of Modified Procedure with a 21-day comment period. Order No. 33795. Commission Staff was the only party to file written comments. The Commission now approves the Application.

THE APPLICATION

Native is a corporation organized in the State of Washington and lists its main business address as Wenatchee, Washington. Application at 1. Idaho’s Secretary of State certified that Native was authorized to transact business in Idaho as of December 27, 2016. *Id.*, Exhibit A at 7. Native lists CT Corporation, 921 S. Orchard Street, Suite G, Boise, Idaho 83705, as its registered agent in Idaho. *Id.* at 2.

Native “is in the process of negotiating an interconnection agreement [with] Frontier Communications.” *Id.* at 2. Native “agrees to comply with rules applicable to competitive wholesale providers of local telecommunications services.” *Id.* at 3. Also, Native agrees “it will be subject to numbering conservation measures, including mandatory one thousand block pooling, donation back to the pool of unused or underutilized thousand number blocks, and submission of applicable utilization/forecast reports at the one thousand block level for each rate center within its service territory.” *Id.* at 3.

STAFF COMMENTS

Staff reviewed Native’s Application and believes that the Company understands Commission Rule of Procedure 114 and Order No. 32277. Comments at 2. Staff also believes that Native possesses the requisite financial, managerial, and technical qualifications to operate as a provider of telecommunications services. *Id.* Staff recommended that the Commission

approve Native as a registered wholesale communications provider subject to the following conditions:

1. Native shall comply with number pooling and requirements of the North American Numbering Plan Administrator, as set forth in Commission Order No. 30425.
2. Native shall provide necessary reports, and contribute as appropriate to the Idaho Universal Service Fund, Idaho Telecommunications Relay System, and Idaho Telecommunications Service Assistance Program; and
3. Native shall comply with all future reporting requirements deemed appropriate by the Commission for competitive telecommunications providers.

COMMISSION FINDINGS AND DECISION

In 2011, the Commission investigated whether to adopt a “certification process ... for Title 62 telecommunications providers that do not provide basic local exchange service.” Order No. 32277 at 2. After considering comments and recommendations from several telecommunications companies operating in Idaho, the Commission determined it necessary to establish a “registration or certification process for telecommunications companies that do not provide basic local exchange service, as defined by state law.” *Id.* at 8. The Commission concluded such process would “enable those companies to access important rights or privileges identified in the federal Telecommunications Act as they enter the telecommunications markets in Idaho.” *Id.* Accordingly, the Commission held that telecommunications companies “that do not intend to provide basic local exchange service but request Commission registration may file an application under Rule 114, with minor modification to eliminate information required by the Rule relating to retail basic local exchange service.” *Id.* “A company that completes the application process as required in Rule 114, Section[s] 1 and ... 5 through 8, will be recognized by the Commission as having successfully registered as a wholesale provider of telecommunications services in Idaho.” *Id.*

The Commission has reviewed and considered the record, including Native’s Application and attached exhibits, and the Staff comments. The Commission finds that Native is a wholesale telecommunications provider and has demonstrated a willingness and commitment “to adhere to number pooling and reporting requirements to assist the Commission in preserving numbers.” *See id.* at 8. The Commission further finds that Native’s Application comports with

Commission Rule of Procedure 114 and Order No. 32277. The Commission thus approves Native's Application to register as a wholesale telecommunications provider in Idaho, subject to the conditions specified above.

O R D E R

IT IS HEREBY ORDERED that the Commission approves the Application of Native Networks, Inc. to register as a wholesale telecommunications provider in Idaho.

IT IS FURTHER ORDERED that Native's certification shall be subject to the conditions outlined above.

THIS IS A FINAL ORDER. Any person interested in this Order may petition for reconsideration within twenty-one (21) days of the service date of this Order. 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 day of July 2017.



PAUL KJELLANDER, PRESIDENT



KRISTINE RAPER, COMMISSIONER



ERIC ANDERSON, COMMISSIONER

ATTEST:



Diane M. Hanian
Commission Secretary

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