

DT 00-170

**IDS TELCOM, LLC**

**Petition for Authority to Provide  
Local Telecommunications Services**

**Order Nisi Granting Authorization**

**O R D E R    N O.    23,784**

**September 24, 2001**

On April 2, 2001, after reviewing the petition filed  
by

IDS Telcom, LLC (IDS Telcom), the New Hampshire Public  
Utilities Commission (Commission) issued an Order Nisi in this  
docket, Order No. 23,672, granting authority to provide  
switched and non-switched local exchange telecommunications  
services. By letter dated June 14, 2001, IDS Telcom informed  
the Commission that, by inadvertence, IDS Telecom failed to  
publish Order No. 23,672 as required. This order replaces  
Order No. 23,672.

Pursuant to N.H. Admin. Rules Puc Chapter 1300, a  
petition for such authority shall be granted when the  
Commission finds that (1) all information listed in Puc  
1304.02 has been provided to the Commission; (2) the applicant  
meets standards for financial resources, managerial  
qualifications, and technical competence; and (3)  
certification for the particular geographic area requested is

in the public good.

The Commission Staff (Staff) reviewed IDS Telcom's petition for compliance with these standards. Staff reports that

IDS Telcom has provided all the information required by Puc 1304.02 and that the information provided supports IDS Telcom's assertion of financial resources, managerial qualifications, and technical competence sufficient to meet the standards set out in Puc 1304.01(b), (e), (f), and (g). Staff further reports that adding IDS Telcom to the choices available to New Hampshire telecommunications consumers appears to be in the public interest.

IDS Telcom requests a waiver of Puc 1304.02(a)(6), which requires a petitioner to file a U.S. Geological Survey-based map of the geographical areas it intends to serve. IDS Telcom provided a sworn statement, in lieu of that requirement, averring that it will offer service in the area currently served by Verizon-New Hampshire as shown on maps on file with the Commission. Staff recommends granting the waiver.

IDS Telcom also requests a waiver of the surety bond required by Puc 1304.02(b). IDS Telcom submitted a sworn statement that it does not require either advance payment or deposits from its customers. Staff recommends granting the

waiver.

We find that IDS Telcom has satisfied the requirements of Puc 1304.01(a)(1) and (2) and, further, that authorization is in the public good. As directed by RSA 374:22-g, in finding that the public good is served, we have considered the interests of competition, fairness, economic efficiency, universal service, carrier of last resort concerns, and the incumbent's opportunity to realize reasonable returns on investment and recovery of expenses. Because IDS Telcom has satisfied the requirements of Puc 1304.01(a) we will grant the petition.

As part of its petition, IDS Telcom avers it will charge access rates no higher than Verizon-New Hampshire's present and future rates for intraLATA switched access. At any point Telcom wishes to exceed the authorized Verizon's New Hampshire access rates, it will first seek Commission review. The Commission will monitor access rates as the intraLATA toll and local exchange markets develop, in order to avoid any inhibition of intraLATA toll competition in contravention of the Telecommunications Act of 1996.

As new competitors enter the telecommunications market, we recognize that New Hampshire's 603 area code encounters greater and greater demand. Accordingly, we will require that IDS Telcom request and use numbers responsibly

and conservatively, and invite IDS Telcom to explore alternative mechanisms for using numbers as efficiently as possible. As evidenced by our recent orders, we have serious concern for the maintenance and viability of the 603 area code and the North American Numbering Plan as a whole. In approving this petition, we require IDS Telcom to comply with our orders on number resource optimization, including but not limited to Order No. 23,385 (January 7, 2000), and Order No. 23,392 (January 27, 2000).

**Based upon the foregoing, it is hereby**

**ORDERED NISI**, that IDS Telcom's petition for authority to provide switched and non-switched intrastate local exchange telecommunications services is hereby GRANTED, subject to all relevant Commission rules and orders; and it is

**FURTHER ORDERED**, that IDS Telcom's request for waiver of the map requirements of Puc 1304.02(a)(6) is hereby GRANTED; and it is

**FURTHER ORDERED**, that IDS Telcom's request for waiver of the surety bond requirement of Puc 1304.02(b) is hereby GRANTED; and it is

**FURTHER ORDERED**, that no less than ten days prior to commencing service, the Petitioner shall file with the

Commission a rate schedule including the name, description, and price of each service, in accordance with N.H. Admin. Rules, Puc 1304.03(b); and it is

**FURTHER ORDERED,** that IDS Telcom, LLC is required to comply with our Order No. 23,385 issued January 7, 2000, Order No. 23,392 issued January 27, 2000, and further orders issued by the Commission concerning number conservation; and it is

**FURTHER ORDERED,** that the Petitioner shall cause a copy of this Order Nisi to be published once in a statewide newspaper of general circulation, such publication to be no later than October 4, 2001 and to be documented by affidavit filed with this office on or before October 11, 2001 it is

**FURTHER ORDERED,** that all persons interested in responding to this Order Nisi shall submit their comments or file a written request for a hearing on this matter before the Commission no later than October 11, 2001; and it is

**FURTHER ORDERED,** that this Order Nisi shall be effective October 24, 2001, unless the Commission provides otherwise in a supplemental order issued prior to the effective date.

By order of the Public Utilities Commission of New  
Hampshire this twenty-fourth day of September, 2001.

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Douglas L. Patch  
Chairman

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Susan S. Geiger  
Commissioner

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Nancy Brockway  
Commissioner

Attested by:

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Thomas B. Getz  
Executive Director and Secretary