

**BEFORE THE
PUBLIC SERVICE COMMISSION OF UTAH**

In the Matter of the Application of
Blackfoot Communications, Inc. d/b/a
Blackfoot for a Certificate of Public
Convenience and Necessity to Provide Docket No. _____
Telecommunications Services in the State
of Utah

APPLICATION

Blackfoot Communications, Inc. d/b/a Blackfoot (“Blackfoot” or “Applicant”), by its undersigned counsel and pursuant to Chapter 8b of Title 54 of the Utah Code, Utah Admin. Code §§ 746-100 *et seq.*, and the rules and regulations of the Utah Public Service Commission (“Commission”), hereby applies for a Certificate of Public Convenience and Necessity to authorize it to provide telecommunications services in the state of Utah.

In support of its application, Applicant provides the following information:

1. GENERAL INFORMATION

Corporate Information

A. Applicant’s legal name is Blackfoot Communications, Inc. d/b/a Blackfoot.

Applicant’s principal place of business is located at:

Blackfoot
1221 North Russell Street
Missoula, MT 59808
Telephone: (406) 541-5000
Facsimile: (406) 532-1999
Toll Free: (866) 541-5000
www.blackfoot.com

B. Applicant is a corporation registered in the State of Montana on January 27, 1995. A copy of Applicant’s Articles of Organization is attached hereto as Exhibit A.

Blackfoot has Section 214 authorization under Section 214 of the Telecommunications Act of 1996 to provide domestic and international long distance service and is in good standing in all jurisdictions where it is registered and certified.

Contact Information:

Correspondence or communications pertaining to this Application should be directed to:

Jason Williams
Blackfoot
1221 North Russell Street
Missoula, MT 59808
Telephone: (406) 541-5454
Fax: (406) 532-1999
Email: jwilliams@blackfoot.com

And;

Michelle Owens
Blackfoot
1221 North Russell Street
Missoula, MT 59808
Telephone: (406) 541-5131
Fax: (406) 532-1999
Email: mowens@blackfoot.com

Questions concerning the ongoing operations of Applicant following certification should be directed to:

For regulatory matters:

Michelle Owens, Regulatory Specialist
Blackfoot Communications, Inc.
1221 North Russell Street
Missoula, MT 59808
Telephone: (406) 541-5131
Fax: (406) 541-5144
E-mail: regulatory@blackfoot.com

For complaint matters by Commission:

Laura Maedche, Customer Operations Manager
Blackfoot Communications, Inc.
1221 North Russell Street
Missoula, MT 59808
Telephone: (406) 541-5070

Fax: (406) 532-5068
E-mail: regulatory@blackfoot.com

For complaint matters by Customer:

Laura Maedche, Customer Operations Manager
Blackfoot Communications, Inc.
1221 North Russell Street
Missoula, MT 59808
Telephone: (406) 541-5070
Fax: (406) 532-5068
E-mail: Imaedche@blackfoot.com

Applicant's registered agent in the State of Utah is:

CT Corporation System
1100 East South Union Ave
Midvale, UT 84047

Customer Service Information:

Applicant's toll-free number for customer inquiries is (866) 541-5000.

2. R746-349-3(A)(2) Proof of bond in the amount of \$100,000

The bond is intended to provide security for customer deposits or other liabilities to telecommunications customers of the Applicant. Blackfoot will not collect customer deposits or offer any prepaid services in Utah. Blackfoot hereby requests a waiver of this bond requirement.

3. R746-349-3(A)(3) Construction or Acquisition of Facilities

At this time, Applicant does not anticipate constructing or acquiring facilities in Utah. As business demand warrants, however, Applicant may deploy its own facilities in collocated sites in Utah. Blackfoot will provide local exchange services through resale or unbundled interconnection with the Incumbent Local Exchange Carrier ("ILEC") or other

authorized CLECs. Blackfoot seeks certification to provide access using resale and facilities-based local and interexchange services.

4. R746-349-3(A)(4) Services to be offered

(a) R746-349-3(A)(4)(a) Classes of customers

Applicant intends to offer its services to business customers.

(b) R746-349-3(A)(4)(b) Location of service

Applicant seeks authority to offer interexchange and local exchange services on a statewide basis, with the exception of exchange areas with fewer than 5,000 access lines that are owned or controlled by an ILEC with fewer than 30,000 total access lines in accordance with Utah Code Ann. § 54-8b-2.1. If additional areas become open to competition, Blackfoot seeks authority to provide services in those areas. To the extent Blackfoot provides basic local exchange service, it will initially do so in the areas served by Qwest d/b/a CenturyLink on a resale basis or utilizing another authorized CLEC.

(c) R746-349-3(A)(4)(c) Services Offered

Blackfoot seeks authority to provide all forms of facilities-based and resold local exchange, interexchange, and access telecommunications services to and from all points in the State of Utah that are currently or become open to competition. In addition, Applicant intends to provide other, unregulated services including broadband Internet service. Applicant will initially utilize resold services and combinations of network elements provided by underlying carrier(s). Underlying carriers will perform switching, routing and call completion functions. Applicant will transition to facilities-based service provisioning as market forces require.

5. R746-349-3(A)(5) Access to standard services

To the extent Blackfoot provides basic local exchange services it will provide access to local exchange, operator services, directory assistance, directory listings, and emergency services such as 911 and E911 either through facilities-based interconnection or resale services purchased from an underlying provider.

6. R746-349-3(A)(6) Implementation schedule

Blackfoot intends to initiate its operations in Utah upon receipt of authority.

7. R746-349-3(A)(7) Professional experience and education of managerial personnel and personnel responsible for Utah operations

Blackfoot does not plan to operate an office within Utah. Responsibility for Utah operations will be handled by Applicant's current management team from its headquarters in Missoula, Montana. Descriptions of the extensive telecommunications and managerial experience of Applicant's key leadership are attached hereto as Exhibit B.

8. R746-349-3(A)(8) Organization Chart

Please see Exhibit B for key leadership team responsible for Utah operations.

9. R746-349-3(A)(9) Chart of Accounts

Applicant's chart of accounts including account numbers, names and brief descriptions is attached hereto as Exhibit C.

10. R746-349-3(A)(10) Financial Statements

Blackfoot Communications, Inc. d/b/a Blackfoot is a wholly owned-subsiidiary of Blackfoot Telephone Cooperative, Inc. Blackfoot's financial statements are attached as

Exhibit D, including the most recent audited balance sheet, cash flow and income statements. These financial statements demonstrate that the Applicant has sufficient financial resources to initiate operations and provide the services for which it seeks authority. Please note that the information provided in Exhibit D is proprietary and has been attached in a sealed envelope marked “Confidential – Subject to Public Service Commission of Utah Rule R746-100-16.” As it contains sensitive information regarding Applicant’s business operations, Blackfoot respectfully requests that this information be treated confidentially and not be released to any member of the public absent Applicant’s prior written permission.

(a) R746-349-3(A)(10)(a) Balance Sheet, Income Statement and Cash Flow Statement

Blackfoot Communications, Inc. d/b/a Blackfoot is a wholly owned-subsiidiary of Blackfoot Telephone Cooperative, Inc. Blackfoot’s financial statements are attached as Exhibit D, including the most recent audited balance sheet, cash flow and income statements. These financial statements demonstrate that the Applicant has sufficient financial resources to initiate operations and provide the services for which it seeks authority. Please note that the information provided in Exhibit D is proprietary and has been attached in a sealed envelope marked “Confidential – Subject to Public Service Commission of Utah Rule R746-100-16.” As it contains sensitive information regarding Applicant’s business operations, Blackfoot respectfully requests that this information be treated confidentially and not be released to any member of the public absent Applicant’s prior written permission.

(b) R746-349-3(A)(10)(b) Letter from Management

Included with Exhibit D is a letter from Blackfoot auditors that attests to the accuracy, integrity and objectivity of the financial statements and that the statements were prepared in accordance with GAAP.

(c) R746-349-3(A)(10)(c) Start-up Company

Applicant is not a start-up company but the required information is presented in Exhibit D.

(d) R746-349-3(A)(10)(d) Parent Company Financials

Blackfoot Communications, Inc. d/b/a Blackfoot is a wholly owned-subsiidiary of Blackfoot Telephone Cooperative, Inc. Blackfoot's financial statements are attached as Exhibit D, including the most recent audited balance sheet, cash flow and income statements. These financial statements demonstrate that the Applicant has sufficient financial resources to initiate operations and provide the services for which it seeks authority. Please note that the information provided in Exhibit D is proprietary and has been attached in a sealed envelope marked "Confidential – Subject to Public Service Commission of Utah Rule R746-100-16." As it contains sensitive information regarding Applicant's business operations, Blackfoot respectfully requests that this information be treated confidentially and not be released to any member of the public absent Applicant's prior written permission.

11. R746-349-3(A)(11) Additional Financial Information

(a) R746-349-3(A)(11)(a) Positive Net Worth

As indicated in the financial statements in Exhibit D, Blackfoot has a positive net worth.

(b) R746-349-3(A)(11)(b) Income and Cash Flow

The parent company financial statements provided in Exhibit D show that Applicant has sufficient and verifiable cash flow to meet cash needs as shown in a five -year projection of expected operations (see paragraph 12 below).

(c) R746-349-3(A)(11)(c) Proof of Bond

Applicant requests a waiver as the company does not solicit customer deposits or offer any prepaid telecommunications services.

12. R746-349-3(A)(12) Five-year Projection

(a) R746-349-3(A)(12)(a) Proforma Income and Cash Flow Statements

See Exhibit E for financial projections.

(b) R746-349-3(A)(12)(b) Technical Description

Blackfoot intends to provide service through the use of resold and facilities-based interconnection services. If market conditions dictate, Applicant may deploy its own facilities in collocation sites in Utah.

(c) R746-349(A)(12)(c) Maps of Facilities Locations

Not applicable. Blackfoot does not currently own property in Utah and has not completed plans for construction of voice or transport facilities in Utah.

13. R746-349-3(A)(13) Implementation schedule

The Company will enter into negotiations with Qwest Communications d/b/a CenturyLink for an interconnection/commercial agreement as soon as the Company is

granted authority to provide telecommunications services in Utah if there is a market need to do so. The Company intends to offer service in Utah upon a valid request from customers in its target market which it anticipates will be met using resold services from underlying providers in conjunction with tariffed interstate circuits.

14. R746-349-3(A)(14) Technical and managerial abilities

Blackfoot Communications, Inc. d/b/a is a wholly-owned subsidiary of Blackfoot Telephone Cooperative, Inc. See Exhibit F for a list of states in which Blackfoot affiliated companies are certified to provide telecommunications services or states in which applications for certificates are currently pending. Applicant's executive team has extensive experience in the telecommunications industry as evidenced in Exhibit B. In addition to the extensive technical abilities residing within the Executive, management levels, technical resources will be provided by Blackfoot staff. Neither Applicant nor any of its affiliates has had an application denied or rejected, or a certificate revoked in any jurisdiction.

(a) R746-649-3(A)(14)(a) Proof of Certification

See Exhibit F to this Application.

(b) R746-349-3(A)(14)(b) Experience

See Exhibit F to this Application.

15. R746-349-3(A)(15) Public Interest

Approval of Blackfoot's Application will serve the public interest by creating greater competition in the local exchange and interexchange marketplaces. The public convenience and necessity, therefore, will be served by the issuance of a Certificate of

Public Convenience and Necessity to Applicant authorizing it to provide the services described in this Application.

16. R746-349-3(A)(16) Proof of Authority to Conduct Business in Utah

See Exhibit A to this Application.

17. R746-349-3(A)(17) Statement regarding complaints, investigations or other illegal activities.

Blackfoot will comply with all jurisdictions rules and laws governing services it provides.

(a) R746-349-3(A)(17)(a) Sanctions

Blackfoot has not been investigated or had sanctions imposed against it for unauthorized carrier changes or other illegal activities in any jurisdiction.

(b) R746-349-3(A)(17)(b)

Not applicable.

(c) R746-349-3(A)(17)(c)

Not applicable.

18. R746-349-3(A)(18) Applicant's written policies

Blackfoot will direct market to business customers through direct and indirect sales channels. Services will be offered pursuant to contracts signed between business customers and Blackfoot. All rates, terms and conditions for services will be provided in the

contracts. Contracts will be entered into, amended or renewed by the customer with their designated Account Executive.

WHEREFORE, Blackfoot Communications, Inc. d/b/a, respectfully requests that the Utah Public Service Commission issue a Certificate of Public Convenience and Necessity authorizing Blackfoot to provide telecommunications services in the State of Utah.

Respectfully submitted,

Jason Williams
Chief Operating Officer
1221 North Russell Street
Missoula, MT 59808
Telephone: (406) 541-5454
Fax: (406) 532-1999
Email: jwilliams@blackfoot.com

October 17, 2016

LIST OF EXHIBITS

EXHIBIT A	Articles of Organization
EXHIBIT B	Key Leadership
EXHIBIT C	Chart of Accounts
EXHIBIT D	Financial Statements
EXHIBIT E	Five-Year Projection of Expected Operations
EXHIBIT F	Evidence of Certification in Other Jurisdictions
EXHIBIT G	Verification