

Sullivan-Leshin, Isaac, PRC

From: Sullivan-Leshin, Isaac, PRC
Sent: Wednesday, June 17, 2020 3:51 PM
To: Records, PRC, PRC
Subject: 20-00126-UT; Filing Submission
Attachments: 20-00126-UT, Notice and Procedural Order.pdf

IN THE MATTER OF THE VERIFIED PETITION OF KIT CARSON ELECTRIC)
COOPERATIVE, INC. AND KIT CARSON INTERNET FOR DESIGNATION) Case No. 20-00126-UT
AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER)
_____)

Please file the attached NOTICE AND PROCEDURAL ORDER into the above captioned case.

Thank you.

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

**IN THE MATTER OF THE VERIFIED PETITION OF KIT)
CARSON ELECTRIC COOPERATIVE, INC. AND KIT) Case No. 20-00126-UT
CARSON INTERNET FOR DESIGNATION AS AN)
ELIGIBLE TELECOMMUNICATIONS CARRIER)**

NOTICE AND PROCEDURAL ORDER

THIS MATTER having come before the New Mexico Public Regulation Commission (the “Commission”) upon the Verified Petition of Kit Carson Electric Cooperative, Inc. and Kit Carson Internet (“Kit Carson”) for Designation as an Eligible Telecommunications Carrier for Limited Purposes and Request for Expedited Consideration by the Commission (the “Petition”).

Whereupon, having been duly informed,

THE COMMISSION FINDS:

1. Kit Carson filed its Petition on June 4, 2020, seeking designation as an Eligible Telecommunications Carriers (“ETC”) to allow Kit Carson to apply and qualify for Commission Broadband Program benefits (17.11.10.31 NMAC), and future benefits from federal programs. Kit Carson requests that the limited ETC designation apply only for specific broadband project areas, if any, for which Kit Carson is awarded Broadband Program grants by the Commission.

2. On June 10, 2020, the Commission issued an Order Adopting Expedited Procedural Schedule (the “June 10 Order”). The June 10 Order adopted Kit Carson’s proposed expedited procedural schedule and directed Kit Carson to work with the Commission’s Office of General Counsel to draft a procedural notice to the Commission’s Telecommunications Service List. This Notice and Procedural Order fulfills the requirements of the June 10 Order.

3. The Commission has jurisdiction over the parties and the subject matter of this case.

4. The Commission finds that this Notice and Procedural Order should be filed and served upon the full Commission Telecommunications Service List to provide notice in

accordance with the June 10 Order as well as providing further detail and instructions to participants and potential participants.

5. In addition, the schedule proposed by Kit Carson in the Petition referenced intervenors but did not include a deadline for motions to intervene to be filed. Thus, this Order also adopts a deadline for motions to intervention to be filed – July 1, 2020.

IT IS THEREFORE ORDERED:

A. Any party wishing to intervene in this proceeding shall file a motion to intervene on or before July 1, 2020.

B. The Commission’s Telecommunications Bureau Staff (“Staff”) and intervenors shall file comments on the Petition on or before July 1, 2020.

C. Kit Carson shall file any replies to the Staff and intervenor comments on or before July 15, 2020.

D. The Commission shall conduct a public hearing on July 29, 2020, after the conclusion of the Commission’s open meeting in the Commission’s Hearing Room on the Fourth Floor of the P.E.R.A. Building, 1120 Paseo de Peralta, Santa Fe, New Mexico.

E. If COVID-19 emergency conditions persist, the Commission may arrange an alternative method for holding the hearing through electronic or telephonic means.

F. All parties wishing to present testimony and evidence shall be prepared to do so at hearing on July 29, 2020.

G. Any witness sponsored by a party shall appear at the public hearing to present oral testimony and be examined under oath. *See* 1.2.2.35.I NMAC.

H. Copies of all exhibits for which admission into evidence is sought shall be distributed to the Commission's Office of General Counsel, Kit Carson, Staff, and intervenors prior to formally requesting admission.

I. If a party or counsel shows a witness a document during cross-examination, a copy of the document shall be provided to the Commission's Office of General Counsel, counsel for Kit Carson, Staff, and intervenors at the time of such cross-examination.

J. Interested persons may appear at the time and place of hearing and make oral or written comment pursuant to 1.2.2.23.F NMAC. Comments shall not be considered as evidence in this case. *See* 1.2.2.23.F NMAC.

K. Pleadings, testimony, written comments, and other documents which shall reference Case No. 20-00126-UT, must be filed by email as follows: prc.records@state.nm.us attention: Melanie Sandoval, Records Management Bureau. Currently, the Commission requires electronic filing of documents due to the COVID-19 pandemic. Please contact Ms. Sandoval at (505) 827-6968 or at the email above if you have any questions about filing. If circumstances concerning the pandemic significantly change, the Commission may alter filing requirements. The filing and service of pleadings and other documents in this case are subject to applicable Commission rules (*see, e.g.*, 1.2.2.10 NMAC), this Order, and rulings in this case.

L. All filings shall be served on the date of filing as specified in the Certificate of Service attached to this Order, subject to subsequent amendment of said service list pursuant to 1.2.2.10.C(4) NMAC. Accordingly, unless otherwise requested or ordered, parties shall serve all pleadings, testimony, and other filings by email only by no later than 5:00 p.m. Mountain Prevailing Time (MPT) on the date filed.

M. The Commission's Rules of Procedure at 1.2.2. NMAC, shall apply in this case except as modified or varied by order of the Commission. The Rules of Procedure can be obtained from the offices of the Commission and are available online at the official NMAC website, <http://www.nmprc.state.nm.us/nmac/>.

N. The procedural dates and requirements established in this Order are subject to further order or ruling of the Commission. Interested persons should contact Isaac Sullivan-Leshin at (505) 670-4830 for confirmation of the hearing date, time, and place since hearings are occasionally rescheduled or, if deemed not required or necessary, canceled at the discretion of the Commission.

O. Kit Carson's Petition together with the supporting direct testimony and exhibits and all other filings in this matter are available through the Commission's website, www.nmprc.state.nm.us, "Quick Links," "Edocket Case Lookup," search for "20-00126-UT."

P. This Notice and Procedural Order is effective immediately.

Q. In accordance with 1.2.2.30(B) NMAC, this Order is being signed by the Chair of the Commission or by another Commissioner.

R. ANY PERSON WITH A DISABILITY REQUIRING SPECIAL ASSISTANCE IN ORDER TO PARTICIPATE IN HIS PROCEEDING SHOULD CONTACT BRADFORD BORMAN at (505) 827-4048.

ISSUED at Santa Fe, New Mexico this 17th day of June 2020.

NEW MEXICO PUBLIC REGULATION COMMISSION



/s/ Jefferson L. Byrd, electronically signed
COMMISSIONER JEFFERSON L. BYRD

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

**IN THE MATTER OF THE VERIFIED PETITION OF KIT)
CARSON ELECTRIC COOPERATIVE, INC. AND KIT) Case No. 20-00126-UT
CARSON INTERNET FOR DESIGNATION AS AN)
ELIGIBLE TELECOMMUNICATIONS CARRIER)**

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the **Notice of Procedural Order** issued by the New Mexico Public Regulation Commission on June 17th, 2020 was sent via email to the following parties:

Marco E. Gonzales
Mitchell F. Brecher
Debra McGuire- Mercer
John Badal
Patricia Salazar Ives
David Lafuria
Timothy Shaffery
Jeffrey Albright
Britney Lloyd
Rohan Ranaraja
Amanda Edwards
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Donna Danielle
Linda Dallaero
Mary Hope
Carol Valdez
Herve Andrieu
Jerry Nussbaum
William Cabral
Darneshia Smith
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Airespring, Inc.
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WDT World Discount Telecom.
Westel, Inc.
Wholesale Carrier Services
Leaco Rural Telephone Coop(Wireless)
Navajo Comms. Co., Inc.
Roosevelt County Rural Telephone Coop.
Valley Telephone Cooperative
Western New Mexico Tel.Co.
Valor Telecom. of Texas, LP
Spok, Inc.
Frontier Comms. Of America
DeltaCom, LLC
BCN Telecom Inc
Dallas MTA LP
Broadband Dynamics, LLC
Plateau Telecom- NM RSA2
Plateau Telecom., Inc.
Plateau Telecom., RSA 4
Plateau Telecom. Long Distance
Yucca Telecom. Systems (CLEC)
Cyber Mesa Computer Systems Inc
Valu Tel Corns., Inc.
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American Messaging Services
Virgin Mobile USA, LLC
CCI Network Services, LLC
TerraCom, Inc.
Bandwidth.com CLEC, LLC
TerraCom, Inc.
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Transtelco, Inc.
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MJ2IP, LLC/City Hosted Solutions
Commnet Wireless, LLC
Ting, Inc.
Ready Wireless, LLC
Tanager Telecoms. NM LLC
UVNV, Inc.
MetroPCS Texas LLC
Cricket Wireless, LLC
TWC Digital Phone LLC
Digium Cloud Services, LLC
Conterra Ultra Broadband
Jive Communications, Inc.
NetFortis Acquisition Co., Inc.
S-Net Communications, Inc.
Pulsar360, Inc.
Thinking Phone Networks, Inc.
Valley Connections LLC
IDS Metrocom LLC
Metro Optical Solutions, Inc.
Stream Corns., LLC
Magna5 fka X5 OPCO LLC
MegaPath Cloud Co., LLC
Peerless Network, Inc.
Integrated Services, Inc
West Safety Corns., Inc. (Intrado)
Windstream Southwest Long Distance, LP
Airus, Inc.
Nextiva, Inc.
DSI-ITI, LLC
TracFone Wireless, Inc.
WiMacTel, Inc.
Vonage America, Inc
Netwolves Network Services LLC
TeleQuality Corns., Inc.
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Greenfly Networks Inc dba Clearfly
Communications MFG Services, Inc.
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Cintex Wireless Talton Communications, Inc.
Ionex Comms. North, Inc.
COMM-CORE, LLC
WaveNation, LLC
Select Communications, LLC
Bandwidth.com, Inc.
Google North America Inc. dba Project Fi by Google
Talk America Services, LLC
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Maria Sanchez
Allison Bloom
Dale Snider
Christopher Collins
Javier Rodriguez
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Joan Ellis-PRC
Eugene Evans-PRC
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Mike Ripperger-PRC
Hank Adair
Richard Matzke
Brad Ellsworth
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Michael Ruziska
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Global Tel*Link Corp.
Total Holdings, Inc./GTC Comm.
iLOKA, Inc./New Cloud Ntwrks
Inmate Calling Solutions, LLC
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Western Interactive Networks
International Telcom. Ltd.
Mite! NetSolutions, Inc
West Telecom Services, LLC
LCR Telecom. LLC
Legacy Long Distance Intl' Inc.
Level 3 Communications, LLC
Mescalero Apache Telecom. Long Distance
Matrix Telecom, LLC
McGraw Communications, Inc.
McLeod USA Telecomm. Svcs.
Metropolitan Telecoms. of NM
National Access Long Distance
National Directory Assistance
Network Billing Systems, LLC
Network Comms. Int'l Corp.
Network Service Billing, Inc.
NetworkIP, LLC
EarthLink Business, LLC
NobelTel, LLC

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NOS Communications, Inc.
NOSY A Limited Partnership
NTS Communications, Inc.
OneLink Comm., Inc. RM
Working Assets Funding Service
XO Corns. Services, Inc.
X2Comm, Inc.
Yucca Coms. Systems L D
ANPI Business, LLC
Alltel Comms. of the SW
Holdings, Inc.
Smith Bagley/Cellular One NE AZ
PVT Wireless Limited Partnership Northern New Mexico, LP
T-Mobile West LLC
CommNet Cellular Inc.
New Mexico RSA No. 5 LP
New Mexico RSA 6-1 Partnership
Verizon Wireless (VA W) LLC
Sprint Spectrum LP (Sprint PCS)
Qwest Corporation
MCI Communications Services
MCimetro Access Trans. Services
Tularosa Basin Telephone Co.
Penasco Valley Telephone Coop.
New Cingular Wireless PCS
Dell Telephone Cooperative, Inc.
PVT Networks, Inc
LaJicarita Rural Telephone Coop.
Mescalero Apache Telcom, Inc
Baca Valley Telephone Company
Centurytel of the Southwest- NM
Big River Telephone Company
ENMR Telephone Coop., Inc
Leaco Rural Telephone (CLEC)
AT&T Corp.
Spectrotel, Inc.
BT Comms. Sales, LLC
Telmate, LLC
Q Link Wireless
iCore Networks, Inc.
nexVortex, Inc.
VoIP Street, Inc. N oIP Innovations
Intermedia Voice Services, Inc.
Truphone, Inc.
Velocity, Greatest Phone Co.
Axia Technology Partners, LLC
CTC Communications Corp
Callcatchers Inc/Freedom Voice
Windstream NuVox, Inc.
Apptix, Inc.
Global Crossing Telecom, Inc
Puretalk Holdings, LLC
IDT America Corp
Chit Chat Mobile LLC
Voice Runner. Inc.
GC Pivotal, LLC
365 Wireless, LLC
Flash Wireless, LLC
Broadsoft Adaption, Inc.
Moblite, LLC
EnTelegent Solutions, Inc.
Cebridge Acquisition LP
First Contact Comm., LLC
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KDDI America Inc
First Communications, LLC
New Horizons Comms. Corp.
Leaco Rural Telephone Coop ILEC Division
Comcast Phone of New Mexico
Cause Based Commerce, Inc
Granite Telecommunications
OnStarLLC
i-wireless, LLC
GreatCall, Inc
Norstar Telecom., LLC
Sage Telecom, Inc
Broadview Networks, Inc
Total Call Mobile, Inc
First Choice Technology, Inc
Transworld Network, Corp.
Kajeet, Inc
Network Innovations, Inc.
iNetworks Group, Inc
IP Networked Services
dishNET Wireline L.L.C.
Alliance Global Networks LLC
Interface Security Systems,LLC
Long Distance Consolidated Billing Co.
Skype Comm US Corporation
CampusTVS, Inc.
Dialpad, Inc.
Momentum Telecom, Inc.
IDS Baja Broadband
PanTerra Networks, Inc.
RingCentral, Inc.
Barking Dog Comms. LLC
Plintron Technologies USA LLC
CloudCall, Inc.
iCommerce Services, Inc. db Gymphone
Distributed Computing, Inc. dba Ten4pbx.com
Star2Star Comms., LLC
Blue Ocean Technologies
Local Access, LLC
SimpleVoIP, LLC
2Talk, LLC
Affiliated Technology Solutions
Alliant Technologies, LLC
Sangoma U.S., Inc.
Earthlink, LLC
STSMedia, Inc. dba
FreedomPop
Excellus Comms., LLC
MagicJack SMB, Inc.
TelAgility Corp
Andrew David Balholm
Hughes Network Systems LLC
Broadsmart Global, Inc.
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Lycamobile USA Inc.
Computer & Network Paramedics, Inc dba G02 Tech
Locus Telecoms., LLC
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Central Valley Electric
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Wade Nelson
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Andrew Gonzales
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Mora-San Miguel Electric
Les Montoya
Robert Quintana
Northern Rio Arriba Electric
Benjamin Leyba
Otero County Electric
Mario Romero
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DATED this 17th day of June, 2020.

NEW MEXICO PUBLIC REGULATION COMMISSION

/s/ Isaac Sullivan-Leshin, electronically signed

Isaac Sullivan-Leshin, Paralegal