



# PUBLIC NOTICE

News media information 202 / 418-0500  
Fax-On-Demand 202 / 418-2830  
Internet: <http://www.fcc.gov>  
TTY 202 / 418-2555

**Federal Communications Commission  
445 12th St., S.W.  
Washington, D.C. 20554**

**DA 00-350  
February 24, 2000**

**Sierra Telecommunications Company Seeks Commission Determination of  
"Exempt Telecommunications Company" Status Under the Public Utility  
Holding Company Act of 1935, As Amended by Section 103 of the  
Telecommunications Act of 1996**

**NSD File No: ETC 00-08**

**Pleading Cycle Established**

**Comments Due: March 16, 2000**

**Reply Comments Due: March 30, 2000**

On February 18, 2000, Sierra Pacific Communications ("SPC"), pursuant to Section 34(a)(1) of the Public Utility Holding Company Act of 1935 ("PUHCA"), as added by Section 103 of the Telecommunications Act of 1996, Pub. L. No. 104-104, filed an application requesting a Commission determination that it is an exempt telecommunications company ("ETC").

SPC, a Nevada corporation, is a wholly owned subsidiary of Sierra Pacific Resources ("Sierra Pacific"). SPC is an "associate company" of Nevada Power Company and Sierra Pacific Power Company, electric utilities operating in the state of Nevada that are wholly-owned subsidiaries of Sierra Pacific.

Sierra Pacific is currently exempt from registration as a holding company under PUHCA. Sierra Pacific, however, has entered into an agreement to purchase Portland General Electric ("PGE"), a wholly owned subsidiary of Enron Corp. Subsequent to the purchase of PGE, Sierra Pacific will become a registered public utility holding company under PUHCA, necessitating this application.

SPC seeks to operate as a competitive provider of telecommunications services and facilities, providing resold and facilities-based, local and interexchange telecommunications services and facilities within the state of Nevada. It states that, initially, these services will be

provided to telecommunications companies and area corporations through metro area fiber rings owned and operated by SPC in Las Vegas and Reno, Nevada. In the future, SPC may also provide telecommunications services to end users.

SPC will be engaged, directly and exclusively in the business of providing telecommunications services, information services, other services or products subject to the jurisdiction of the Commission and/or products or services that are related or incidental to such products or services. Accordingly, SPC states that it meets the criteria for Commission determination that it is an exempt telecommunications company under Section 34(a)(1) of PUHCA.

In accordance with 47 C.F.R. § 1.5004, if the Commission does not issue an order denying SPC's application within 60 days of receipt of this application, February 18, 2000, the application will be deemed granted as a matter of law. In accordance with 47 C.F.R. § 1.5003, a person applying in good faith for a Commission determination of ETC status is deemed to be an ETC from the date of receipt of the application, February 18, 2000, until the date of Commission action pursuant to 47 C.F.R. § 1.5004. In accordance with 47 C.F.R. § 1.5005, the Secretary of the Commission is now notifying the Securities and Exchange Commission (SEC) that SPC is deemed to be an exempt telecommunications company. In the event that the Commission issues an order within 60 days of receipt of the application denying the application, the Secretary will so notify the SEC. Otherwise, the Commission will take no further action to grant this application.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's *ex parte* rules. *See generally* 47 C.F.R. §§ 1.1200 - 1.1206. Persons wishing to file comments, regarding the adequacy or accuracy of the SPC application requesting status as an ETC, must do so no later than **March 16, 2000**. All comments should also be served on the applicant. Reply comments must be filed no later than **March 30, 2000**.

Interested parties should file an original and four copies of their comments with the Office of the Secretary, Federal Communications Commission, 445 Twelfth St., SW, Room TW-A325, Washington, D.C. 20554. In addition, parties should send one copy to ITS, at 1231 20th Street, NW, Washington, D.C. 20036 and two copies to Al McCloud, Common Carrier Bureau, Network Services Division, FCC, 445 12th Street, SW, Room 6-A320, Washington, D.C. 20554. All filings concerning any of the matters referenced in this Public Notice should refer to NSD File No. **ETC 00-08**. The application will be available for public inspection Monday through Friday in the FCC Reference Center, Portals II, 445 12th Street, SW, Suite CY-A257, Washington, D.C., 20554, (202) 418-0267.

For further information, contact Al McCloud, (202) 418-2499 (voice), [amccloud@fcc.gov](mailto:amccloud@fcc.gov) or Marty Schwimmer, (202) 418-2320 (voice), [mschwimm@fcc.gov](mailto:mschwimm@fcc.gov), of the Network Services Division, Common Carrier Bureau. The TTY number is (202) 418-0484.

**-FEDERAL COMMUNICATIONS COMMISSION-**

