

JANET I. JENSON (Bar No. 4226)
GARY R. GUELKER (Bar No. 8474)
JENSON & GUELKER, LLC
747 East South Temple Street, Suite 130
Telephone: (801) 579-0800
Facsimile: (801) 579-0801
Attorneys for Petitioners

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Petition of All)	
American Telephone Co., Inc. For a <i>Nunc</i>)	
<i>Pro Tunc</i> Amendment of Its Certificate)	Docket No. 08246901
of Authority to Operate as a Competitive)	
Local Exchange Carrier Within the)	<u>Petition</u>
State of Utah.)	

All American Telephone Co., Inc. (“AATCO”), by and through its counsel, hereby petitions the Commission for a *nunc pro tunc* amendment to its Certificate of Public Convenience and Necessity, dated March 7, 2007, authorizing AATCO to operate as a competitive local exchange carrier (“CLEC” hereinafter) within the state of Utah. This Petition is based upon the following:

1. AATCO was granted a Certificate of Public Convenience and Necessity in Docket No. 06-2469-01 on March 7, 2007, authorizing it to operate as a CLEC within the state of Utah, excluding those local exchanges of less than 5,000 access lines of incumbent telephone corporations with fewer than 30,000 access lines in the state.

2. On June 11, 2007, AATCO and Beehive Telephone Co., Inc. (“Beehive”) filed an interconnection agreement with the Commission. This interconnection agreement was deemed approved by the Commission on September 10, 2007 pursuant to 47 U.S.C. § 252(e)(4).

3. AATCO and Beehive have been operating under the terms of this interconnection agreement on the assumption that AATCO had authority to operate as a CLEC in the area certificated to Beehive.

4. If the terms of the March 7, 2007 Certificate are viewed in isolation, independently of the interconnection agreement, AATCO technically may be deemed to lack authority to operate as a CLEC in the area certificated to Beehive.

5. In order to conform AATCO's CLEC certificate to the facts of the arrangements that have existed between the two companies since the certificate was granted, AATCO hereby requests that the Commission amend AATCO's certificate *nunc pro tunc*, as of the date the certificate was issued so as to grant AATCO the authority to operate as a CLEC in the area certificated to Beehive, at least to the extent of the terms and conditions of that interconnection agreement.

6. Such an amendment will make certain the implicit operating authority already granted by the Commission, and will not operate to extend AATCO's operating authority into any other local exchange carrier's certificated territory. Beehive has filed, concurrently with this application, its consent to AATCO's petition.

7. Because this petition affects only two parties, AATCO and Beehive, both of whom favor the action requested, the petitioner represents that there is no reasonable expectation of opposition to petitioner's request and therefore requests that the petition be adjudicated informally under Utah Code Ann. § 63-46b-5 and R746-110 of the Commission's Rules. Petitioner has supplied, concurrently with this petition, a draft order which petitioner requests be issued without a hearing and to be effective upon issuance.

Dated this 23d day of April 2008.

JENSON & GUELKER

By: /s/ Gary R. Guelker
JANET I. JENSON
GARY R. GUELKER
Attorneys for Petitioner