

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Application of SBC)	
Long Distance, LLC, to Discontinue the)	<u>DOCKET NO. 08-2427-01</u>
Provision of Local Exchange Service for)	
Business Consumers in the State of Utah)	<u>ORDER VACATING AND RESCINDING</u>
)	<u>APRIL 9, 2008, REPORT AND ORDER</u>
)	<u>CANCELING CERTIFICATE</u>
)	
)	<u>REPORT AND ORDER APPROVING</u>
)	<u>APPLICATION TO DISCONTINUE</u>
)	<u>SERVICE</u>

ISSUED: April 21, 2008

SYNOPSIS

The Commission vacates and rescinds its April 9, 2008, Report and Order Canceling Certificate and approves Petitioner's request to discontinue business local exchange voice service in the State of Utah.

By The Commission:

PROCEDURAL HISTORY, DISCUSSION, AND FINDINGS

On January 22, 2008, SBC Long Distance, LLC ("Applicant") filed an Application to Discontinue Telecommunications Service ("Application") stating its intention to discontinue the provision of business local exchange voice service in the State of Utah. The Application notes Applicant has sent all required notices to customers.

On February 27, 2008, the Division of Public Utilities ("Division") filed a memorandum detailing its investigation of the Application and recommending cancellation of Applicant's Certificate of Public Convenience and Necessity ("Certificate"). The Division noted Southwestern Bell Communications Services Inc., now known as SBC Long Distance, LLC,

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received a Certificate to do business in Utah on September 22, 2004 in Docket No. 04-2427-01. On June 15, 2007, in Docket No. 07-2427-01, Applicant was granted approval to discontinue local exchange service to residential customers. Nationwide, Applicant has decided to stop providing local exchange service as a competitive local exchange carrier because of relatively few and scattered customers. Applicant will continue to provide tariffed business data services and also will continue to offer intrastate and interstate long distance services to Utah customers. The Division concluded Applicant has complied with Commission Rule 746-350 requirements for discontinuing telecommunications service.

Based on these facts and the Division's recommendation, on April 9, 2008, the Commission issued a Report and Order Canceling Certificate in which the Commission cancelled Petitioner's Certificate.

On April 10, 2008, counsel for Petitioner filed a memorandum stating that by its Application Petitioner had not sought cancellation of its Certificate but only modification of said Certificate to permit Petitioner to discontinue provision of business local exchange voice service since Petitioner intends to continue to provide business data services and intrastate long distance service in Utah.

By today's Order, the Commission vacates and rescinds its Report and Order of April 9, 2008, in this docket. As Applicant has complied with applicable Commission rules pertaining to discontinuation of telecommunications services, no detriment to the public interest appears and the Commission hereby issues the following

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

- The Report and Order Canceling Certificate issued April 9, 2008, in Docket No. 08-2427-01 is vacated and rescinded.
- The Application to Discontinue Telecommunications Service filed by SBC Long Distance, LLC, on January 22, 2008, is approved.
- SBC Long Distance, LLC, may discontinue business local exchange voice service to its Utah customers effective the date of this Order.

Pursuant to *Utah Code Annotated* §§ 63-46b-12 and 54-7-15, agency review or rehearing of this order may be obtained by filing a request for review or rehearing with the Commission within 30 days after the issuance of the order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the Commission fails to grant a request for review or rehearing within 20 days after the filing of a request for review or rehearing, it is deemed denied. Judicial review of the Commission's final agency action may be obtained by filing a Petition for Review with the Utah Supreme Court within 30 days after final agency action. Any Petition for Review must comply with the requirements of *Utah Code Annotated* §§ 63-46b-14, 63-46b-16 and the Utah Rules of Appellate Procedure.

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DATED at Salt Lake City, Utah, this 21st day of April, 2008.

/s/ Ted Boyer, Chairman

/s/ Ric Campbell, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary
G#57021