

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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In the Matter of the Application of Beehive )  
Telecom, Inc. for an Amended Certificate of ) DOCKET NO. 09-051-02  
Public Convenience and Necessity to Provide )  
Local Exchange Services within the State of ) ORDER OF DISMISSAL  
Utah )  
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ISSUED: August 31, 2009

By The Commission:

This is before us on the Division of Public Utilities' (Division) Motion to Dismiss. Beehive Telecom, Inc. (Beehive) filed its Application for an Amended Certificate of Public Convenience and Necessity on April 7, 2009, with an Amended Application filed on July 21, 2009. The Division filed a Motion to Dismiss on August 12, 2009. On August 24, 2009, Beehive filed what it termed a Withdrawal of Application, stating that it "does not desire at this time to go forward" with its Application. It also stated that it "concur[s] in the recommendation of the [Division] that this matter should be dismissed without prejudice."

ORDER

Therefore, finding good cause appearing, and finding that Beehive does not oppose the Division's Motion, we hereby dismiss the Application without prejudice.

Pursuant to Sections 63G-4-301 and 54-7-15 of the Utah Code, an aggrieved party may request agency review or rehearing of this Order by filing a written request with the Commission within 30 days after the issuance of this 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 does not grant a request for review or rehearing within 20 days after the filing of the request, it is deemed denied. Judicial review of the Commission's final

DOCKET NO. 09-051-02

- 2 -

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 Sections 63G-4-401 and 63G-4-403 of the Utah Code and Utah Rules of Appellate Procedure.

DATED at Salt Lake City, Utah, this 31<sup>st</sup> day of August, 2009.

/s/ Ted Boyer, Chairman

/s/ Ric Campbell, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard  
Commission Secretary

G#63361