

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Petition of ADVANCED)
TELCOM, INC., for Authority to Compete as a)
Telecommunications Corporation and to Offer)
Interexchange and Public Local Exchange)
Telecommunications Services)

DOCKET NO. 00-2319-01

REPORT AND ORDER

ISSUED: September 12, 2002

SYNOPSIS

Advanced TelCom, Inc. having requested that its certificate of public convenience and necessity and intrastate tariffs be canceled, the Commission so orders.

By The Commission:

PROCEDURAL HISTORY

On April 24, 2000, Advanced TelCom Group, Inc. filed an application for authority to ". . . compete as a telecommunications corporation (as defined at Utah Code Ann. § 54-8b-2 (7)) and to compete in providing interexchange and public local exchange telecommunications services (as defined at Utah Code Ann. § 54-8b-2 (6)) in Utah. . . ." The application was given Docket No. 00-2319-01. The company notified the Commission by letter dated August 22, 2000, that it had changed its name to Advanced TelCom, Inc.

The case was converted into an informal proceeding and there was no hearing held. The Commission granted a Certificate of Public Convenience and Necessity to the company on September 29, 2000. The order states that the company was authorized ". . . to provide local and interexchange services and other public telecommunications services, including facilities-based as well as resold services, anywhere within the State of Utah, except within the service territory of any local exchange with fewer than 5,000 access lines that is owned or controlled by an incumbent telephone corporation with fewer than 30,000 access lines within the State."

By letter dated September 4, 2002, the company notified the Commission that it would like to have its certificate canceled. The letter states that the parent company filed for Chapter 11 bankruptcy on May 2, 2002. The assets of the company were sold through bankruptcy auction process and the transfer of the assets is expected to occur approximately October 15, 2002. The company will then no longer provide telecommunications services. The letter also states that the company has no current customers in Utah that would be affected by the cancellation of the certificate. The company also requests that its intrastate tariffs be canceled.

The Commission has received a memorandum from the Utah Division of Public Utilities stating that the company has not paid its assessed Public Utilities Regulation Fee in the amount of \$50 that was due on July 1, 2002. The Division was in the process of preparing a request for an order to show cause to have the company's certificate canceled. The Division has recommended that the Commission cancel the certificate of public convenience and necessity held by Advanced TelCom, Inc.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

Certificate of Public Convenience and Necessity No. 2319 held by Advanced TelCom, Inc., be and hereby is canceled. The company's intrastate tariffs are also canceled.

Any person aggrieved by this Order may petition the Commission for review within 20 days of the date of this Order. Failure to do so will forfeit the right to appeal to the Utah Supreme Court.

DATED at Salt Lake City, Utah, this 12th day of September 2002.

/s/ Stephen F. Mecham, Chairman

/s/ Constance B. White, Commissioner

/s/ Richard M. Campbell, Commissioner

Attest:

/s/ Julie Orchard

Commission Secretary

G#30818