

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Application of Essex)
Communications, Inc. dba eLEC)
Communications, for a Certificate of Public)
Convenience and Necessity for the Purpose of)
Providing Facilities-Based Local Exchange)
Services)

DOCKET NO. 00-2349-01
REPORT AND ORDER

ISSUED: June 11, 2003

SYNOPSIS

Essex Communications, Inc. dba eLEC Communications having requested that its certificate of public convenience and necessity be canceled, the Commission so orders.

By The Commission:

PROCEDURAL HISTORY

On September 29, 2000, Essex Communications, Inc. dba eLEC Communications (Essex) filed its application for authority to provide local exchange service. The application was given Docket No. 00-2349-01. The case was converted into an informal proceeding and there was no hearing held. The Commission granted Certificate of Public Convenience and Necessity No. 2349 on April 26, 2001. The Company was authorized ". . . to provide local and interexchange services and other public telecommunications services, including facilities-based as well as resold services, within the service territory of Qwest Corporation within the State of Utah."

By letter dated May 29, 2003, Essex requested to cancel its certificate. The letter from the Company's General Counsel states that the Company has not operated in the State of Utah and it does not intend to exercise the authority granted to it and that it voluntarily relinquishes its Certificate and requests the Commission to cancel its Certificate and all tariffs on file with the Commission.

The Commission has received a memorandum from the Utah Division of Public Utilities (Division) with a copy of the letter attached to the memorandum. The Division states that it is their understanding that the Company does not now, and never has, provided local exchange service in the state of Utah. Therefore, the termination of the Company's authority will have no adverse impact upon any consumers.

The Division's memorandum also states that Essex has not filed its annual report that was due on March 31, 2003, nor has it filed its Report of Gross Revenue that was due on April 15, 2003. The Division has recommended that the Commission cancel the certificate of public convenience and necessity held by Essex Communications, Inc. dba eLEC Communications.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

Certificate of Public Convenience and Necessity No. 2349 held by Essex Communications, Inc. dba eLEC Communications, be and hereby is 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 11th day of June 2003.

/s/ Richard M. Campbell, Chairman

/s/ Constance B. White, Commissioner

Attest:

/s/ Julie Orchard

Commission Secretary

G#34053