

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Application of)
El Paso Networks, LLC for a Certificate of Public)
Convenience and Necessity to Provide Facilities-)
Based and Resold Local Exchange and)
Interexchange Services)

DOCKET NO. 01-2361-01
REPORT AND ORDER

ISSUED: January 22, 2004

SYNOPSIS

El Paso Networks, LLC having requested cancellation of its authority to operate as a telecommunications service provider in the state of Utah, the Commission orders the cancellation of the Company's certificate of public convenience and necessity.

By The Commission:

PROCEDURAL HISTORY

On March 13, 2001, El Paso Networks, LLC (El Paso or Company) filed an application for authority ". . . to provide local exchange telecommunications services to business and residential customers in the State of Utah. . . . Applicant seeks authority to provide resold and facilities-based local exchange telecommunications services." The Commission granted El Paso Certificate of Public Convenience and Necessity No. 2361 on September 18, 2001.

On January 9, 2004, the Commission received a letter from El Paso requesting that its certificate be cancelled. The Company stated that it has not provided telecommunications services to customers in Utah, nor does it have any loop, transport or switching facilities in the state.

The Commission has received a memorandum from the Utah Division of Public Utilities (Division) stating that since El Paso is not serving any customers in Utah, it would appear that the requirements of proposed rule R746-350 for discontinuation of service would not be applicable. The Division recommended that the Commission cancel the certificate of public convenience and necessity held by El Paso Networks, LLC.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

Certificate of Public Convenience and Necessity No. 2361, held by El Paso Networks, LLC, 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 22nd day of January, 2004.

/s/ Ric Campbell, Chairman

/s/ Constance B. White, Commissioner

/s/ Ted Boyer, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary

G#36669