

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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In the Matter of the Application of TDI )  
COMMUNICATIONS, INC., for a Certificate of )  
Convenience and Necessity to Operate as a Non-facilities- )  
based Resold Interexchange Telecommunications Service )  
Provider )

DOCKET NO. 01-2381-01  
REPORT AND ORDER

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ISSUED: December 20, 2001

SYNOPSIS

As applicant's proposed operations are limited to resale of intrastate toll services, the Commission dismissed the application.

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By the Commission:

PROCEDURAL HISTORY

On October 9, 2001, TDI Communications, Inc., (Applicant) sought issuance of a Certificate of Convenience and Necessity from the Commission. The matter was referred for review and recommendation to the Division of Public Utilities, Utah Department of Commerce which filed its memorandum recommending dismissal October 26, 2001.

Applicant has confirmed in writing and in oral conversations that it intends to limit its Utah service offering to the resale of in-state toll service. The Commission has interpreted Utah law such that a company which provides, exclusively, resold in-state toll service does not need a certificate. Accordingly we enter the following ORDER

NOW, THEREFORE IT IS HEREBY ORDERED that:

- The above-captioned matter be, and it is, dismissed.
- Any person aggrieved by this Order may petition the Commission for review within 20 days of the date of this Order. Failure so to do will forfeit the right to appeal to the Utah Supreme Court.

Dated at Salt Lake City, Utah, this 20th day of December, 2001.

/s/ Stephen F. Mecham, Chairman

/s/ Constance B. White, Commissioner

/s/ Richard M. Campbell, Commissioner

Attest:

/s/ Julie Orchard  
Commission Secretary