

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Application of SIMPLY)
CELLULAR AND TELEPHONE)
RECONNECTIONS, LLC., for a Certificate of)
Public Convenience and Necessity to Provide)
Resold Local Exchange Telecommunications)
Services)

DOCKET NO. 01-2385-01
REPORT AND ORDER

ISSUED: August 2, 2002

By The Commission:

Simply Cellular & Telephone Reconnections, LLC. ("Applicant") filed its Application for a Certificate of Public Convenience and Necessity on December 4, 2001, pursuant to *Utah Code Annotated* ' 54-8b-1.1 *et. seq.* On December 5, 2001, we directed the Division of Public Utilities to investigate the Application. On December 10, 2001, the Division of Public Utilities sent a set of data requests to Applicant seeking information necessary for consideration of the Application. Complete responses to those data requests have not been received.

Utah Code Annotated ' 54-8b-2.1(3)(d) requires that the Commission "approve" or deny the application under this section within 240 days after it is filed.@ Because sufficient information has not been provided to demonstrate compliance with the statutory requirements, we must deny the petition. We do so without prejudice, and encourage Applicant to re-file an application, complete with all necessary information, if Applicant continues to desire to provide telecommunications services in Utah.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

The Application in this matter is dismissed without prejudice.

DATED at Salt Lake City, Utah, this 2nd day of August, 2002.

/s/ Stephen F. Mecham, Chairman

/s/ Constance B. White, Commissioner

/s/ Richard M. Campbell, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary

GW #30360