

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Petition of the DIVISION OF)
PUBLIC UTILITIES for cancellation of the)
Certificate of Public Convenience and Necessity of)
CONVERGENT COMMUNICATIONS SERVICES,)
INC.)

DOCKET NO. 02-2239-01

REPORT AND ORDER

ISSUED: March 25, 2002

SYNOPSIS

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

By The Commission:

PROCEDURAL HISTORY

On June 25, 1997, Convergent Communications, Inc. filed an application for authority to provide public telecommunications service in Salt Lake, Davis, Weber, and Utah counties in the State of Utah. The application was given Docket No. 97-2239-01.

A hearing was held on December 9, 1997. The Commission granted Certificate of Public Convenience and Necessity No. 2239 on February 3, 1998. The order states:

Convergent seeks a Certificate to provide intrastate public telecommunications services, including but not limited to, intraexchange switched services for business and residential services; private line and special access services; intrastate intraexchange or interexchange services incidental to, supplementary to, or related to the foregoing described services.

On July 16, 1999, an application was filed by Convergent Communications Services, Inc. to transfer the certificate granted to Convergent Communications, Inc., its parent company. The Commission issued its order in Docket No. 98-2239-01 on December 16, 1998, approving the application.

The Commission has received a memorandum from the Utah Division of Public Utilities stating that Convergent Communications Services, Inc. filed annual reports for the years 1998, 1999, and 2000 but they did not provide a balance sheet or income statement for the company. Financial statements were provided on a consolidated basis. The reports show that the company was not serving any customers in Utah.

The Division has also received a letter (attached to their memorandum) from Convergent stating that both Convergent Communications, Inc. and Convergent Communications Services, Inc. filed for bankruptcy on April 19, 2001. The bankruptcy was filed under Chapter 11 with the possibility of reorganization. However, the letter states that Convergent will not reorganize, has ceased all operations, and is being liquidated. The Division has recommended that the Commission cancel the certificate of public convenience and necessity held by Convergent Communications Services, Inc.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

Certificate of Public Convenience and Necessity No. 2239 held by Convergent Communications Services, Inc., 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 25th day of March 2002.

/s/ Stephen F. Mecham, Chairman

/s/ Constance B. White, Commissioner

/s/ Richard M. Campbell, Commissioner

Attest:

/s/ Julie Orchard

Commission Secretary

G#28716