

- 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)
WIDEOPENWEST UTAH, LLC)

DOCKET NO. 02-2317-01
REPORT AND ORDER

ISSUED: May 29, 2002

SYNOPSIS

WideOpenWest Utah, LLC having requested that its certificate of public convenience and necessity be canceled, the Commission so orders.

By The Commission:

PROCEDURAL HISTORY

On April 7, 2000, WideOpenWest Utah, LLC filed an application for authority "to operate as provider of resold and facilities-based local exchange and facilities-based interexchange telecommunications services in the State of Utah." The application was given Docket No. 00-2317-01. No hearing was held. The Commission granted Certificate of Public Convenience and Necessity No. 2317 on August 17, 2000. The order states that the company was authorized

. . . to provide local and interexchange services and other public telecommunications services, including facilities-based as well as resold services, anywhere within the State of Utah except within the service territories of local exchanges with fewer than 5,000 access lines which are owned or controlled by an incumbent telephone corporation with fewer than 30,000 access lines within the State.

The Commission has received a memorandum from the Utah Division of Public Utilities (Division) stating that the Division has received a letter (attached to their memorandum) that states that the company has no revenue attributable to Utah and that "due to a change in the strategic and business plans for our company, we will not conduct any business activities within the State of Utah and therefore request that you initiate steps to cancel our certificate." The Division therefore recommends that the Commission cancel the certificate of public convenience and necessity held by WideOpenWest Utah, LLC. The Division has recommended that the Commission cancel the certificate of public convenience and necessity held by WideOpenWest Utah, LLC.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

Certificate of Public Convenience and Necessity No. 2317 held by WideOpenWest Utah, 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 29th day of May 2002.

/s/ Stephen F. Mecham, Chairman

/s/ Constance B. White, Commissioner

/s/ Richard M. Campbell, Commissioner

Attest:

/s/ Julie Orchard

Commission Secretary

G#29633