

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of ICG TELECOM GROUP)
INC., Application for Authority to)
Discontinue Certain Public Tele-)
communications Operations Within)
the State of Utah.)

DOCKET NO. 04-2259-01

ORDER APPROVING APPLICATION
TO DISCONTINUE CERTAIN SERVICES

ISSUED: September 17, 2004

SYNOPSIS

ICG's request to permit the discontinuance of various services is granted, despite its failure to fully comply with Rule 746-350.

By the Commission:

On August 2, 2004, the Commission received ICG Telecom Group, Inc.'s (ICG) request for approval of its plan to discontinue providing local exchange, long distance, primary rate interface (PRI), special access/private line and high speed data transmission services in the State of Utah. ICG intends to retain its certificate to provide public telecommunication services as it continues to provide Signaling System 7 (SS7) and resold special access/private line services. The Division of Public Utilities has provided to the Commission, on September 13, 2004, its Memorandum recommending that the Commission grant ICG's request.

Administrative Rule R746-350 identifies the procedure that telecommunications service providers should follow in order to discontinue the provision of service in Utah. While ICG has not strictly complied with the rule's requirements, its discontinuance plan has been in substantial compliance with the intended process. We will excuse ICG's failure to comply with the rule as its non-compliance can be viewed as de minimis. It has only two customers and there is no indication that these two have had difficulty in obtaining replacement services (or whether the type of service they were receiving from ICG would have triggered the rule in the first place).

Wherefore based upon the filings provided to the Commission, we enter this ORDER granting ICG's request to discontinue the provision of the services identified.

DATED at Salt Lake City, Utah, this 17th day of September, 2004.

/s/ Ric Campbell, Chairman

/s/ Constance B. White, Commissioner

/s/ Ted Boyer, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary

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