

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Application of)
RSA Corp for Authority to)
Provide Resold and Facilities-Based Local)
Exchange Telecommunications Services)
within the State of Utah)

DOCKET NO. 04-2387-01

REPORT AND ORDER

ISSUED: August 2, 2004

SYNOPSIS

RSA Corp having filed Chapter 7 bankruptcy and no longer provides services in Utah rendering cancellation of its authority to operate as a telecommunications service provider in the state of Utah, the Commission orders the cancellation of the Company's certificate of public convenience and necessity.

By The Commission:

PROCEDURAL HISTORY

On January 22, 2002, RSA Corp filed an application for authority “. . . to provide local exchange telecommunications services to business and residential customers in the State of Utah. . . . Applicant seeks authority to provide resold and facilities-based local exchange telecommunications services.” The application was given Docket No. 02-2387-01. The case was converted into an informal proceeding and there was no hearing held. The Commission granted Certificate of Public Convenience and Necessity No. 2387 on April 24, 2002. 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, as described in Exhibits. . . .” Written notice was required before any expansion into any local exchange with fewer than 5,000 access lines that is owned or controlled by an incumbent telephone company with fewer than 30,000 access lines within the State.

On July 22, 2004, the Division of Public Utilities received a faxed notice of Chapter 7 bankruptcy from David E. Smoot, bankruptcy trustee. RSA Corp is in complete liquidation and no longer intends to provide service in Utah.

The Commission has received a memorandum from the Utah Division of Public Utilities (Division) stating that since RSA Corp is not serving any customers in Utah, it would appear that the requirements of proposed rule R746-350 for discontinuation of service would not be applicable. The Division recommended that the Commission

cancel the certificate of public convenience and necessity held by RSA Corp.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

Certificate of Public Convenience and Necessity No. 2387 held by RSA Corp, 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 2nd day of August, 2004.

/s/ Ric Campbell, Chairman

/s/ Constance B. White, Commissioner

/s/ Ted Boyer, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary

G#39637