
In the Matter of ICG Telecom Group, Inc.'s Request)
to Abandon Service)
)
)

DOCKET NO. 06-2259-01

REPORT AND ORDER CANCELING CERTIFICATE

ISSUED: May 3, 2006

SYNOPSIS

Petitioner having sought voluntary certificate cancellation, and no detriment to the public interest appearing, the Commission cancelled the certificate.

By The Commission:

PROCEDURAL HISTORY, DISCUSSION, AND FINDINGS

On April 7, 2006, ICG Telecom Group, Inc. ("Petitioner") requested the Commission approve its petition to withdraw its Certificate of Public Convenience and Necessity ("Certificate"). On April 25, 2006, the Division of Public Utilities ("Division") filed a memorandum recommending cancellation of the Certificate.

The Division notes the Commission granted Petitioner its Certificate on March 22, 1999, in Docket No. 98-2259-01. On August 2, 2004, Petitioner requested approval of its plan to discontinue providing local exchange, long distance, primary rate interface, special access/private line and high speed data transmission services, which the Commission approved September 17, 2004 in Docket No. 04-2259-01. The Division notes Petitioner does not provide telecommunications services to any customers in Utah, nor does Petitioner have any plans to

operate in the State in the future. Therefore, Petitioner appears to have no obligation under Commission Rule 746-350, Application to Discontinue Telecommunications Service.

As Petitioner does not currently provide telecommunications service to any customers within the State of Utah, no detriment to the public interest appears and the Commission hereby issues the following

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

- The Certificate of Public Convenience and Necessity, issued March 22, 1999, in Docket No. 98-2259-01, to ICG Telecom Group, Inc. be, and it is, cancelled and annulled effective the date of this Order.

- Pursuant to *Utah Code Annotated* §§ 63-46b-12 and 54-7-15, agency review or rehearing of this order may be obtained by filing a request for review or rehearing with the Commission within 30 days after the issuance of the order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the Commission fails to grant a request for review or rehearing within 20 days after the filing of a request for review or rehearing, it is deemed denied. Judicial review of the Commission's final agency action may be obtained by filing a Petition for Review with the Utah Supreme Court within 30 days after final agency action. Any Petition for Review must comply with the requirements of *Utah Code Annotated* §§ 63-46b-14, 63-46b-16 and the Utah Rules of Appellate Procedure.

DATED at Salt Lake City, Utah, this 3rd day of May, 2006.

/s/ Ric Campbell, Chairman

/s/ Ted Boyer, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard

Commission Secretary

G#48762