

Applicant has thus far failed to provide information and documentation necessary to a reasonable review of the Application, we determine to proceed informally without hearing.

Having reviewed the Application as filed, and having considered the Division's recommendation to dismiss the Application, we find and conclude the Application as filed does not support granting the requested Certificate and that this matter should therefore be dismissed.

Wherefore, based upon the foregoing information and for good cause appearing, we enter the following tentative

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that:

1. This matter be, and it is, converted to an informal proceeding pursuant to §63-46b-4(3), UCA 1953, as amended.
2. The Application filed herein is dismissed.
3. Absent meritorious protest, this Order shall automatically become effective without further action twenty (20) days from the date of this Order.
4. Persons desiring to protest this Order may file said protest prior to the effective date of this Order. If the Commission finds said protest to be meritorious, the effective date shall be suspended pending further proceedings.

Pursuant to Utah Code §§ 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

DOCKET NO. 07-2487-01

-3-

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 §§ 63-46b-14, 63-46b-16 and the Utah Rules of Appellate Procedure.

Dated at Salt Lake City, Utah, this 29th day of January, 2008.

/s/ Ted Boyer, Chairman

/s/ Ric Campbell, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary
G#56079