

In the Matter of the Petition of the Division)
of Public Utilities for a Declaratory Order)
Canceling the Certificate of Public Conven-)
ience and Necessity of THE WESTLINK)
COMPANY)

DOCKET NO. 98-2026-01

REPORT AND ORDER

ISSUED: September 21, 1998

SYNOPSIS

The certificated telephone corporation having requested termination of its certificate, we cancel the same.

By the Commission:

PROCEDURAL HISTORY

On July 21, 1998, the Division of Public Utilities filed its petition requesting cancellation of the Certificate of Convenience and Necessity issued to THE WESTLINK COMPANY ("Westlink"). The petition was supported by a letter from Westlink requesting voluntary cancellation of the company's certificate and disavowing any intention of providing mobile telephone service in Utah. The Administrative Law Judge, having been fully advised in the matter, now enters the following Report, containing proposed Findings of Fact, Conclusions of Law, and the Order based thereon.

FINDINGS OF FACT

1. Westlink was certificated by Order of the Commission dated April 12, 1994, as the successor in interest of U.S. West Paging. Since being so certificated, Westlink has actually rendered only paging service, which is not subject to Commission regulation. According to its letter to the Division of Public Utilities, Westlink has not, and does not intend to, render any mobile telephone service.

2. The public interest would suffer no detriment by canceling Westlink's Certificate.

CONCLUSIONS OF LAW

The petition should be granted.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

Certificate of Convenience and Necessity issued to THE WESTLINK COMPANY, be and it is, canceled effective the date of this Order.

Any person aggrieved by this Order may petition the Commission for review within 20 days of the date of this Order.

Failure so to do will forfeit the right to appeal to the Utah Supreme Court.

DATED at Salt Lake City, Utah, this 21st day of September, 1998.

/s/ A. Robert Thurman

Administrative Law Judge

Approved and Confirmed this 21st day of September, 1998, as the Report and Order of the Public Service Commission of Utah.

/s/ Stephen F. Mecham, Chairman

(SEAL) /s/ Constance B. White, Commissioner

/s/ Clark D. Jones, Commissioner

Attest:

/s/ Julie Orchard

Commission Secretary