- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

In the Matter of the Application of DIECA COMMUNICATIONS, INC., d/b/a Covad Communications Company for a Certificate of Public Convenience and Necessity to Provide Switched and Dedicated, Resold and Facilities-Based Local Exchange and Facilities-Based Interexchange Services within the State of Utah	))))))))	DOCKET NO. 99-2277-01 ERRATUM ORDER

ISSUED: January 10, 2000

By The Commission:

In its initial order in this matter, the Commission failed to consider the effect of §§ 54-8b-2.1(3)(c) and 54-8b-2.1(4) UCA 1953, as amended. Those statutes collectively give an incumbent local exchange carrier with fewer than 30,000 access lines, and with local exchanges serving fewer than 5,000 access lines, the right to oppose before the Commission expansion of Competing Local Exchange Carriers into their territory. In the event the Commission does allow such expansion, the competitor is put under the obligation of serving all customers on the same footing as the incumbent. Since our first order ignored these statutes, we enter the following

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that our prior order in this matter be, and it is, amended as follows:

To the certificate issued we add the following second paragraph:

Notwithstanding the generality of the above grant, Grantee shall, prior to expanding its service area to a territory of the state served by 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, give written notice of its intent to such incumbent telephone company and the Commission, and said incumbent telephone company shall have the opportunity to oppose said expansion in accordance with § 54-8b-2.1(3)(c), UCA 1953 as amended. In the event the Commission finds such expansion to be in the public interest, it shall amend this certificate to impose on Grantee in such area the obligation to serve all persons and classes of persons as provided in § 54-8b-2.1(4), UCA 1953, as amended.

DATED at Salt Lake City, Utah, this 10th day of January, 2000.

/s/ Stephen F. Mecham, Chairman

/s/ Constance B. White, Commissioner

/s/ Clark D. Jones, Commissioner

Attest:

/s/ Julie Orchard
Commission Secretary