

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF DELAWARE

IN THE MATTER OF THE APPLICATION OF)
BLOCK LINE SYSTEMS, LLC FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY TO PROVIDE COMPETITIVE LOCAL) PSC Docket No. 14-0255
EXCHANGE AND LONG DISTANCE)
TELECOMMUNICATIONS SERVICES WITHIN THE)
STATE OF DELAWARE (FILED JULY 28, 2014;)
AMENDED OCTOBER 23, 2014; AMENDED)
OCTOBER 27, 2014))

ORDER NO. 8669

AND NOW, this 13th day of November, 2014, the Delaware Public Service Commission (the "Commission") determines and orders the following:

WHEREAS, on July 28, 2014, Block Line Systems, LLC ("BLS") filed an application (the "Application") with the Commission seeking a Certificate of Public Convenience and Necessity ("CPCN") to allow it to provide competitive local exchange and long distance telecommunications services within the State of Delaware. BLS also requested a waiver of the requirements of 26 Del. C. §208(b) and 26 Del. Admin. C. §4001-10.2. With its Application, BLS also filed illustrative tariffs setting forth the terms and conditions of its proposed services; and

WHEREAS, By the Application, BLS has elected to provide competitive services within the State of Delaware pursuant to 26 Del C. ch 1, subchapter VII-A, the Telecommunications Technology Investment Act (the "TTIA") Under the TTIA, telecommunications providers may elect to "determine its rates and prices for its telecommunications services pursuant to" the TTIA. 26 Del C. §704(a).

A telecommunications provider electing to have its rates and prices determined under the Act is no longer subject to mandatory tariff or other filing requirements for competitive services, including new services, and basic services, other than switched access. 26 Del. C. §706(b);

WHEREAS, BLS provided the appropriate affidavits of publication of notice of the Application in The News Journal and the Delaware State News. The Commission Staff ("Staff") reports that it received no formal comments or objections regarding the Application within the required 20-day notice period; and

WHEREAS, BLS represents that Buckeye TeleSystems, Inc., another subsidiary of its parent company, Block Communications, Inc., is currently authorized to provide competitive local exchange carrier services in Ohio and Michigan, as well as resold domestic and international interexchange services; and

WHEREAS, Staff reports that BLS has provided sufficient information evidencing that it has the financial, technical, and operational capabilities required for a CPCN as set forth in the Delaware Code and the Commission's "Rules for the Provision of Telecommunications Services," 26 Del. Admin. C. §4001 (the "Rules"); and

WHEREAS, the Commission determines that a CPCN should be granted to BLS to authorize it, as a public utility, to offer competitive local exchange and long distance telecommunications services under the provisions of the Delaware Code and the Rules subject to the conditions set forth below;

**NOW THEREFORE, IT IS ORDERED BY THE AFFIRMATIVE VOTE
OF NOT FEWER THAN THREE COMMISSIONERS:**

1. That pursuant to 26 *Del. C.* §§ 203A and 703(4) and the Rules, the Commission grants to BLS a CPCN to operate as a public utility and provide competitive local exchange and long distance telecommunications services as described in the Application.

2. That BLS shall provide telecommunications services in the manner required by the Rules and at all times shall comply with all applicable provisions of the Delaware Code, the Commission's Rules and Regulations, and all other applicable laws, rules, regulations, and orders.

3. That the CPCN for competitive local exchange and long distance telecommunications services and other competitive intrastate telecommunications services is awarded upon, and subject to, the following conditions:¹

(a) BLS will initially offer and implement switched access services in accordance with the Telecommunications Access Services Tariff as filed with the Commission, which includes, rules, regulations, terms, and conditions of service specifically adopted for Delaware; and

(b) BLS shall either (i) have in place a Commission-approved interconnection agreement or (ii) file an "opt-in" agreement between BLS and Verizon Delaware LLC or another certificated local exchange carrier or (iii) file a notification with the Commission that an existing interconnection agreement has been assigned to it with the

¹ These conditions must be completed within 6 months of the date of this Order.

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agreement of Verizon Delaware LLC associated with the approved transaction addressed in PSC DOCKET NO. 14-0240.

4. That the provisions of 26 *Del. C.* §208(b) are waived, and BLS is authorized to maintain its books and records relating to its Delaware operations outside of the State of Delaware; provided, however, and upon the condition that, BLS shall provide to the Commission at its Dover, Delaware office, in a timely manner and upon the written request of the Commission's Executive Director, all such books and records relating to BLS' Delaware operations as the Commission may deem reasonably necessary from time to time for review and copying. If the Commission must review the Delaware-related books and records of BLS at a location other than at the Commission's Dover, Delaware office, BLS shall pay for the expenses of such review.

5. That the provisions of 26 *Del. Admin. C.* §4001-10.2 are waived, and BLS is authorized to maintain its books consistent with Generally Accepted Accounting Principles.

6. That a violation of this Order, the Commission's Rules and Regulations, or other applicable law, rule, regulation, or order may result in suspension or revocation of the CPCN.

7. That the Commission reserves the jurisdiction and authority to enter such further Orders in this matter as may be deemed necessary or proper.

BY ORDER OF THE COMMISSION:

Chair

Commissioner

Commissioner

Commissioner

Commissioner

ATTEST:

Secretary