



STATE OF DELAWARE
THE PUBLIC SERVICE COMMISSION
861 SILVER LAKE BOULEVARD
CANNON BUILDING, SUITE 100
DOVER, DELAWARE 19904

TELEPHONE: (302) 736-7500
FAX: (302) 739-4849

November 5, 2014

MEMORANDUM

TO: The Chair and Members of the Commission

FROM: Kevin Neilson, Regulatory Policy Administrator

SUBJECT: IN THE MATTER OF THE APPLICATION OF WIDE VOICE, LLC FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE FACILITIES-BASED AND RESOLD LOCAL EXCHANGE AND LONG DISTANCE TELECOMMUNICATIONS SERVICES WITHIN THE STATE OF DELAWARE (FILED FEBRUARY 5, 2014) - PSC DOCKET NO. 14-63

Wide Voice, LLC (“Wide Voice”), has applied (“Application”) for a Certificate of Public Convenience and Necessity (“CPCN”) to provide facilities-based and resold local exchange and long distance telecommunications services within the State of Delaware. The Delaware Public Service Commission staff (“Staff”) has reviewed the Application to determine its compliance with the Rules and Regulations promulgated in 26 *Del. Admin. C.* §4001.

Wide Voice submitted a bond in the amount of \$10,000 issued by Hartford Fire Insurance Company on behalf of Wide Voice in compliance with 26 *Del. Admin. C.* §§4001-4.6.1 and 4.6.3. To demonstrate its financial capability, Wide Voice also provided to Staff audited financial statements for the fiscal period ended December 31, 2012 and verification that, as necessary, BCI will be responsible for the start-up financial obligations of BLS.

To demonstrate its technical and operational capabilities, Wide Voice provided Staff with background information of its principal officers and employees. In addition, Wide Voice states that is currently certified to provide competitive local exchange carrier services in Ohio and Michigan, as well as resold domestic and international interexchange services.

Pursuant to 26 *Del. Admin. C.* §4001-4.3, a copy of the Application was provided to the Division of the Public Advocate, and public notice of the Application was published in The News Journal and in the Delaware State News newspapers on October 10, 2014. Staff reports that it received no formal comments or objections to Wide Voice's Application for a CPCN.

As part of its Application, Wide Voice requested a waiver of the provisions of 26 *Del. C.* §208(b) so that it may maintain its books and records relating to its Delaware operations outside of the State of Delaware. In addition, Wide Voice requested a waiver of the provisions of 26 *Del. Admin. C.* §4001-10.2 so that it may maintain its books consistent with General Accepted Accounting Principles. Staff believes that the waiver requests are reasonable and recommends that the Commission grant the requested waivers. Wide Voice included in its application a copy of a performance bond as required. The performance bond adequately covers actions taken by Wide Voice but, by its terms, binds Wide Voice and its "heirs, executors, [and] administrators." Ordinarily a performance bond for a commercial entity would bind its "successors and assigns." This discrepancy would only create an issue if Wide Voice is later subject to a change in control. After discussion with the representative of the company the proposed CPNC includes language making the CPNC non-transferable without the execution of a new bond covering any entity seeking to obtain control of Wide Voice or to operate under the CPCN.

Based on Staff's review and analysis, Wide Voice has shown that it has the financial, operational, and technical means to provide competitive local exchange and long distance telecommunications services in Delaware. Therefore, Staff recommends that the Commission grant Wide Voice, LLC a CPCN to provide facilities-based and resold local exchange and long distance telecommunications services within the State of Delaware.