

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF DELAWARE

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

ORDER NO. 8668

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

WHEREAS, on February 5, 2014, Wide Voice, LLC ("Wide Voice") filed an application (the "Application") with the Commission seeking a Certificate of Public Convenience and Necessity ("CPCN") to allow it to provide facilities-based and resold local exchange and long distance telecommunications services within the State of Delaware. Wide Voice also requested a waiver of the requirements of 26 *Del. C.* §208(b) and 26 *Del. Admin. C.* §4001-10.2. With its Application, Wide Voice also filed illustrative tariffs setting forth the terms and conditions of its proposed services; and

WHEREAS, Wide Voice 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, Wide Voice has obtained a performance bond as required by 26 *Del. Admin. C.* §§ 4001-4.6.1 and 4.6.3 that adequately covers actions taken by Wide Voice. Wide Voice has additionally agreed that if it is later subject to a change in control the CPCN granted by this order will only transfer to another entity if a separate performance bond is executed by the entity seeking to operate pursuant to the CPNC. Failure to execute such a bond will revoke the CPNC granted by the Commission; and

WHEREAS, Wide Voice represents that it 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 Wide Voice 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 Wide Voice to authorize it, as a public utility, to offer facilities-based and resold 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 for the Provision of Telecommunications Services," 26 *Del. Admin. C.* §4001 (the "Rules"), the Commission grants to Wide Voice, LLC ("Wide Voice") a Certificate of Public Convenience and Necessity ("CPCN") to operate as a public utility and provide competitive local exchange and long distance telecommunications services as described in the Application.

2. That Wide Voice 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 facilities-based and resold local exchange and long distance telecommunications services and other competitive intrastate telecommunications services is awarded upon, and subject to, the following conditions:¹

(a) That ten (10) days prior to the date Wide Voice intends to offer and implement local exchange telecommunications services, Wide Voice shall file with the Commission an initial tariff with rules, regulations, terms, and conditions of service specifically adopted for Delaware; and

(b) That before filing an initial tariff, Wide Voice shall either (i) have in place a Commission-approved interconnection

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

agreement or (ii) file an "opt-in" agreement between Wide Voice and Verizon Delaware LLC or another certificated local exchange carrier.

4. That the provisions of 26 *Del. C.* §208(b) are waived, and Wide Voice 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, Wide Voice 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 Wide Voice's 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 Wide Voice at a location other than at the Commission's Dover, Delaware office, Voice shall pay for the expenses of such review.

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

6. That if Wide Voice is subject to a transfer of control the entity seeking to assume control shall execute a new performance bond as required by 26 *Del. Admin. C.* §§4001-4.6.1 and 4.6.3. Failure to do so will revoke the authority granted by this CPCN. Any entity seeking to operate under the authority of this CPCN without obtaining such a bond will be subject to the penalties in 26 *Del. C.* §§ 217 and 218.

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