



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

December 8, 2014

MEMORANDUM

TO: The Chair and Members of the Commission

FROM: Kevin Neilson, Regulatory Policy Administrator

SUBJECT: IN THE MATTER OF THE APPLICATION OF BROAD VALLEY MICRO FIBER NETWORKS INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE COMPETITIVE LOCAL EXCHANGE AND LONG DISTANCE TELECOMMUNICATIONS SERVICES WITHIN THE STATE OF DELAWARE (SUBMITTED OCTOBER 3, 2014; FILED NOVEMBER 14, 2014) - PSC DOCKET NO. 14-0434

Broad Valley Micro Fiber Networks Inc. (“Broad Valley” or the “Company”), has applied (“Application”) for a Certificate of Public Convenience and Necessity (“CPCN”) to provide competitive 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.

Broad Valley submitted a bond in the amount of \$10,000 issued by Plate River Insurance Company on behalf of the Company in compliance with 26 *Del. Admin. C.* §4001-4.6.1. To demonstrate its financial capability. Broad Valley also provided to Staff verified financial statements reflecting its financial status as of August 31, 2014.

To demonstrate its technical and operational capabilities, Broad Valley provided Staff with background information of its principal officers and employees.

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 November 12, 2014. Staff reports that it received no formal comments or objections to Broad Valley's Application for a CPCN.

As part of its Application, Broad Valley 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, Broad Valley 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.

Based on Staff's review and analysis, Broad Valley 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 Broad Valley Micro Fiber Networks Inc. a CPCN to provide competitive local exchange and long distance telecommunications services within the State of Delaware.