

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE**

IN THE MATTER OF THE APPLICATION OF TRANS)
NATIONAL COMMUNICATIONS INTERNATIONAL,)
INC., FOR A CERTIFICATE OF PUBLIC CONVEN-)
IENCE AND NECESSITY TO PROVIDE LOCAL)
EXCHANGE TELECOMMUNICATIONS SERVICES)
WITHIN THE STATE OF DELAWARE, AND FOR) PSC DOCKET NO. 05-228
REVIEW OF A PLAN FOR PROVIDING INTRALATA)
TOLL DIALING PARITY IN ACCORDANCE WITH)
FEDERAL COMMUNICATIONS COMMISSION)
REQUIREMENTS (FILED JUNE 23, 2005 AND)
AMENDED JANUARY 10, 2006)

FINDINGS AND ORDER NO. 6817

AND NOW, to-wit, this 24th day of January, 2006, the Public Service Commission ("PSC" or the "Commission") makes the following findings, determination, and Order:

1. On June 23, 2005, Trans National Communications International, Inc. ("TNCI"), filed with the Commission an application for a Certificate of Public Convenience and Necessity ("CPCN") to allow it to provide local exchange telecommunications services within Delaware. TNCI has also filed an illustrative tariff setting forth the terms and conditions for its proposed services and its proposed dialing parity plan. TNCI amended its application on January 10, 2006; and

2. Public notice of the application, including a period for filing objections, was published in The News Journal newspaper on December 26, 2005 and the Delaware State News newspaper on August 27, 2005. No comments or objections to the application have been received. The Commission Staff reports that TNCI has shown that it has the financial, technical, and managerial capabilities as required for a certificate as set forth in the Commission's "Rules for the Provision of

Telecommunications Services."¹ On September 28, 2005, TNCI filed an irrevocable letter of credit in the amount of Ten Thousand Dollars (\$10,000) with Citizens Bank which does business in Delaware and has requested a waiver of Rule 4(f)(i) of the Commission's "Rules for the Provision of Telecommunications Services."² and

3. The Commission determines that a conditional CPCN should be granted to TNCI authorizing it, as a public utility, to offer local exchange telecommunications services under the provisions of the Commission's "Rules for the Provision of Telecommunications Services" until the Company completes the conditions described in Ordering Paragraph 4;

Now, therefore, **IT IS ORDERED:**

1. That, pursuant to 26 Del. C. §§ 203A and 703(3) and the Commission's "Rules for the Provision of Telecommunications Services," a conditional Certificate of Public Convenience and Necessity is granted to Trans National Communications International, Inc., to operate as a public utility and provide local exchange telecommunications services as described in the application filed on June 23, 2005 and amended on January 10, 2006.

2. That Trans National Communications International, Inc., shall provide local exchange telecommunications services in the manner required

¹Adopted in PSC Order No. 5833 (eff. Dec. 10, 2001).

²There is currently a proceeding open to permit telecommunications companies to file an irrevocable letter of credit as a substitute for the performance or surety bond. See PSC Order No. 6690 (Aug. 9, 2005).

by the Commission's "Rules for the Provision of Telecommunications Services," and shall, at all times, comply with all applicable provisions of such Rules. Trans National Communications International, Inc., shall also file all returns and pay all assessments and fees as may be required by the provisions of 26 Del. C. §§ 114 and 115.

3. That the Certificate for local exchange telecommunications services is awarded upon, and subject to, the following conditions:³

- (a) That ten (10) days prior to the date Trans National Communications International, Inc., intends to offer and implement local exchange telecommunications services, Trans National Communications International, Inc., shall file a tariff or price list with rules, regulations, terms, and conditions of service specifically adopted for Delaware; and
- (b) That Trans National Communications International, Inc., has a Commission approved interconnection agreement or a filed "opt-in" agreement between Trans National Communications International, Inc., and Verizon Delaware Inc., or another certificated local exchange carrier.

4. That the Commission grant the waiver to permit Trans National Communications International, Inc. to substitute the surety or performance bond with an irrevocable letter of credit as required by Rule 4(f)(i) of the "Rules for the Provision of Telecommunications Services".

³These conditions must be completed within 6 months of the date of this Order.

5. That the intraLATA toll dialing parity plan filed by Trans National Communications International, Inc., is approved with the modification expressed in Staff's recommendation in their January 20, 2006 memorandum. The Commission reserves the right to revisit the approval granted here if changed circumstances or complaints (from either consumers or competitors) raise concerns that "real world" implementation of the intraLATA toll dialing parity plan of Trans National Communications International, Inc., does not allow for customers to exercise informed choice in the selection of an intraLATA toll carrier.

6. That the provisions of 26 Del. C. § 208(b) are waived, and Trans National Communications International, Inc., 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, all such books and records relating to Delaware operations as the Commission may deem it reasonably necessary from time to time, to review and copy, shall be provided to the Commission at the Commission's Office within the State of Delaware in a timely manner upon written request by the Commission's Chief of Technical Services or Executive Director. The conduct of such a review at a location other than Delaware shall be at the Applicant's expense.

7. That Trans National Communications International, Inc., shall comply with all state and federal statutes and rules relating to a customer's selection of a preferred carrier of telecommunications services. Trans National Communications International, Inc., agrees to pay all fees, assessments, penalties, and allowed damages arising from a violation of such state and federal statutes or rules pertaining to the selection of a preferred carrier.

8. That a violation of the "Rules for the Provision of Telecommunications Services" may result in suspension or revocation of this Certificate.

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

BY ORDER OF THE COMMISSION:

/s/ Arnetta McRae
Chair

/s/ Joann T. Conaway
Commissioner

/s/ Dallas Winslow
Commissioner

/s/ Jaymes B. Lester
Commissioner

/s/ Jeffrey J. Clark
Commissioner

ATTEST:

/s/ Karen J. Nickerson
Secretary