

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

IN THE MATTER OF THE APPLICATION OF)
FIRST COMMUNICATIONS, LLC, FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY TO PROVIDE COMPETITIVE INTRA-) PSC DOCKET NO. 06-255
STATE TELECOMMUNICATIONS SERVICES WITHIN)
THE STATE OF DELAWARE (FILED JULY 31,)
2006 AND AMENDED SEPTEMBER 14, 2006))

ORDER NO. 7036

AND NOW, to-wit, this 3rd day of October, A.D. 2006;

WHEREAS, on July 31, 2006, First Communications, LLC ("First Comms."), filed an application with the Delaware Public Service Commission ("PSC" or "Commission") for a Certificate of Public Convenience and Necessity ("CPCN") to provide intrastate telecommunications services to the public between and among all points throughout the State of Delaware through resale of similar services offered by other telecommunications carriers. First Comms. amended its application on September 14, 2006. First Comms. has also filed a proposed tariff setting forth the rates, terms, and conditions for its proposed services; and

WHEREAS, the PSC has reviewed the application of First Comms. for a CPCN and has determined that the application, as filed on July 31, 2006 and amended on September 14, 2006, satisfies the minimum requirements of the Commission's "Rules for the Provision of Telecommunications Services;"¹ and

¹Adopted in PSC Order No. 5833 (eff. Dec. 10, 2001) and amended in PSC Order No. 6839 (eff. Mar. 11, 2006).

WHEREAS, the Commission determines that a Certificate of Public Convenience and Necessity should be granted to First Comms. authorizing it, as a public utility, to offer telecommunications services under the provision of the Commission's "Rules for the Provision of Telecommunications Services;" and

WHEREAS, the Commission, after publication of notice, has not received any protest concerning the proposed granting of such Certification to the Applicant; 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 Certificate of Public Convenience and Necessity is granted to First Communications, LLC to operate as a public utility and provide intrastate telecommunications services as described in the application filed on July 31, 2006 and amended on September 14, 2006, and as specified in the Tariff the Applicant has on file with the Commission as the same may, from time to time, be amended. Such Certificate is effective on the date of this Order.

2. That First Communications, LLC shall provide intrastate telecommunications services in the manner required by the Commission's "Rules for the Provision of Telecommunications Services," and shall, at all times, comply with all applicable provisions of such Rules. First Communications, LLC 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 provisions of 26 Del. C. § 208(b) are waived, and First Communications, LLC 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.

4. That First Communications, LLC shall comply with all state and federal statutes and rules relating to a customer's selection of a preferred carrier of telecommunications services. First Communications, LLC 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.

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

6. 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:

/s/ Arnetta McRae
Chair

PSC Docket No. 06-255, Order No. 7036 Cont'd.

/s/ Joann T. Conaway
Commissioner

/s/ Jaymes B. Lester
Commissioner

/s/ Dallas Winslow
Commissioner

/s/ Jeffrey J. Clark
Commissioner

ATTEST:

/s/ Karen J. Nickerson
Secretary