

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

IN THE MATTER OF THE APPLICATION OF MCC )  
TELEPHONY OF THE MID-ATLANTIC, INC., D/B/A )  
MEDIACOM, FOR A CERTIFICATE OF PUBLIC )  
CONVENIENCE AND NECESSITY TO PROVIDE LOCAL )  
EXCHANGE AND COMPETITIVE INTRASTATE ) PSC DOCKET NO. 06-350  
TELECOMMUNICATIONS SERVICES WITHIN THE )  
STATE OF DELAWARE, AND FOR REVIEW OF A )  
PLAN FOR PROVIDING INTRALATA TOLL DIALING )  
PARITY IN ACCORDANCE WITH FEDERAL COMMUNI- )  
CATIONS COMMISSION REQUIREMENTS )  
(FILED OCTOBER 26, 2006) )

**FINDINGS AND ORDER NO. 7097**

**AND NOW**, to-wit, this 19<sup>th</sup> day of December, 2006, the Public Service Commission ("PSC" or the "Commission") makes the following findings, determination, and Order:

1. On October 26, 2006, MCC Telephony of the Mid-Atlantic, Inc., d/b/a Mediacom ("Mediacom"), filed with the Commission an application for a Certificate of Public Convenience and Necessity ("CPCN") to allow it to provide local exchange and competitive intrastate telecommunications services within Delaware. Mediacom has also filed an illustrative and final tariff setting forth the terms and conditions for its proposed services and its proposed dialing parity plan; and

2. Public notice of the application, including a period for filing objections, was published in The News Journal and the Delaware State News newspapers on November 8, 2006. No comments or objections to the application have been received. The Commission Staff reports that Mediacom has shown that it has the financial, technical, and managerial capabilities as required for a CPCN as set forth in the Commission's

"Rules for the Provision of Telecommunications Services."<sup>1</sup> In its application, Mediacom filed a performance bond in the amount of Ten Thousand Dollars (\$10,000) with corporate surety licensed to do business in Delaware; and

3. The Commission determines that a CPCN should be granted to Mediacom authorizing it, as a public utility, to offer local exchange and competitive intrastate telecommunications services under the provisions of the Commission's "Rules for the Provision of Telecommunications Services;"

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 MCC Telephony of the Mid-Atlantic, Inc., d/b/a Mediacom, to operate as a public utility and provide local exchange and competitive telecommunications services as described in the application filed on October 26, 2006.

2. That MCC Telephony of the Mid-Atlantic, Inc., d/b/a Mediacom, shall provide local exchange and competitive 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. MCC Telephony of the Mid-Atlantic, Inc., d/b/a Mediacom, shall also file all returns and pay all

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

assessments and fees as may be required by the provisions of 26 Del. C. §§ 114 and 115.

3. That the intraLATA toll dialing parity plan filed by MCC Telephony of the Mid-Atlantic, Inc., d/b/a Mediacom, is approved.

4. That the provisions of 26 Del. C. § 208(b) are waived, and MCC Telephony of the Mid-Atlantic, Inc., d/b/a Mediacom, 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.

5. That MCC Telephony of the Mid-Atlantic, Inc., d/b/a Mediacom, shall comply with all state and federal statutes and rules relating to a customer's selection of a preferred carrier of telecommunications services. MCC Telephony of the Mid-Atlantic, Inc., d/b/a Mediacom, 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.

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

7. 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/ Jaymes B. Lester  
Commissioner

/s/ Dallas Winslow  
Commissioner

/s/ Jeffrey J. Clark  
Commissioner

ATTEST:

/s/ Karen J. Nickerson  
Secretary