

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

IN THE MATTER OF THE APPLICATION OF )  
INTRADO COMMUNICATIONS INC. FOR A )  
CERTIFICATE OF PUBLIC CONVENIENCE AND )  
NECESSITY TO PROVIDE LOCAL EXCHANGE AND ) PSC DOCKET NO. 08-44  
COMPETITIVE INTRASTATE TELECOMMUNICATIONS )  
SERVICES WITHIN THE STATE OF DELAWARE )  
(FILED FEBRUARY 25, 2008) )

**FINDINGS AND ORDER NO. 7379**

This 17<sup>th</sup> day of April 2008, the Public Service Commission ("PSC" or the "Commission") makes the following findings, determination, and Order:

1. On February 25, 2008, Intrado Communications Inc. ("Intrado" or "the Company"), 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. Intrado has also filed an illustrative tariff setting forth the terms and conditions for its proposed services; and

2. Public notice of the application, including a period for filing objections, was published in the Delaware State News newspaper on March 11, 2008 and in The News Journal newspaper on March 12, 2008. No comments or objections to the application have been received. The Commission Staff reports that Intrado 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> On March 11, 2008, Intrado filed a surety bond in the amount of Ten Thousand Dollars (\$10,000) with corporate surety licensed to do business in Delaware; and

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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).

3. Intrado has requested a waiver of the requirement to file an intraLATA toll dialing parity plan at this time because Intrado does not propose to offer end-user voice services.

4. The Commission determines that a conditional CPCN should be granted to Intrado 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 5; and

5. The Commission determines that a CPCN should be granted to Intrado authorizing it, as a public utility, to offer 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 conditional Certificate of Public Convenience and Necessity is granted to Intrado Communications Inc., to operate as a public utility and provide local exchange telecommunications services as described in the application filed on February 25, 2008.

2. 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 Intrado Communications Inc., to operate as a public utility and provide competitive intrastate telecommunications services as described in the application filed on February 25, 2008.

3. That the Commission grants the request of Intrado Communications Inc. to waive the requirement that it file and the Commission approve an intraLATA toll dialing parity plan at this time. If, in the future, Intrado Communications Inc. proposes to offer end-use customers access to local and long distance telecommunications services, it shall so notify the Commission and submit any required intraLATA toll dialing parity plan.

4. That Intrado Communications Inc. 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. Intrado Communications 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.

5. That the Certificate for local exchange telecommunications services is awarded upon, and subject to, the following conditions:<sup>2</sup>

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

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<sup>2</sup>These conditions must be completed within 6 months of the date of this Order.

and Verizon Delaware Inc., or another certificated local exchange carrier.

6. That the provisions of 26 Del. C. § 208(b) are waived, and Intrado Communications 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 Deputy Director or Executive Director. The conduct of such a review at a location other than Delaware shall be at the Applicant's expense.

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

8. 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

PSC Docket No. 08-44, Order No. 7379 Cont'd.

/s/ Jeffrey J. Clark  
Commissioner

ATTEST:

/s/ Karen J. Nickerson  
Secretary