

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

IN THE MATTER OF THE APPLICATION OF)
BUSINESS PRODUCTIVITY SOLUTIONS, INC.)
FOR AUTHORITY TO ABANDON COMPETITIVE) PSC DOCKET NO. 09-51
INTRASTATE TELECOMMUNICATIONS)
SERVICES WITHIN THE STATE OF)
DELAWARE (FILED JANUARY 12, 2009))

ORDER NO. 7534

AND NOW, to-wit, this 19th day of February, 2009;

WHEREAS, on January 12, 2009, Business Productivity Solutions, Inc. ("BPSI") filed an application seeking authority to abandon service within the State of Delaware; and

WHEREAS, BPSI was granted a Certificate of Public Convenience and Necessity ("CPCN") pursuant to Rule 7 of the PSC "Rules for the Provision of Telecommunications Services," to provide competitive intrastate telecommunications services by PSC Order No. 6530 (Dec. 7, 2004) in PSC Docket No. 04-403; and

WHEREAS, *26 Del. C. § 203A(c)(1)* provides that no public utility shall abandon or discontinue, in whole or in part, any business, operations, or services provided under a CPCN or otherwise, which are subject to jurisdiction of the Commission without first having received Commission approval for such abandonment or discontinuance; and

WHEREAS, BPSI filed with the Commission a verified application seeking the entry of an Order of the Commission canceling and terminating its CPCN; and

WHEREAS, BPSI has asserted that it has no customers in Delaware and no outstanding liabilities to any Delaware customers in the form of deposits nor prepayments for any of its services; and

WHEREAS, the Commission has determined that applications to terminate CPCNs granted to provide competitive intrastate telecommunications services should be routinely approved upon the filing of a verified application and that, in a competitive market, such abandonment or discontinuance is presumptively reasonable, necessary, and not unduly disruptive to the present or future public convenience and necessity; now, therefore,

NOW, THEREFORE, IT IS HEREBY ORDERED BY THE AFFIRMATIVE VOTE OF NOT FEWER THAN THREE COMMISSIONERS:

1. That, upon the express condition that the representations in the verified application of Business Productivity Solutions, Inc. are true and correct, said application to abandon the provision of competitive intrastate telecommunications services as a public utility filed by Business Productivity Solutions, Inc. is hereby granted and approved effective with the date of this Order.

2. 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

/s/ Joann T. Conaway
Commissioner

/s/ Jaymes B. Lester
Commissioner

/s/ Dallas Winslow
Commissioner

PSC Docket No. 09-51, Order No. 7534 Cont'd.

/s/ Jeffrey J. Clark
Commissioner

ATTEST:

/s/ Karen J. Nickerson
Secretary