

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

IN THE MATTER OF THE APPLICATION OF )  
VODAFONE GLOBAL ENTERPRISE INC. FOR )  
AUTHORITY TO PROVIDE INTRASTATE LONG ) PSC DOCKET NO. 13-388  
DISTANCE TELECOMMUNICATIONS SERVICES )  
WITHIN THE STATE OF DELAWARE )  
FILED OCTOBER 7, 2013) )

**ORDER NO. 8531**

**AND NOW**, this 20<sup>th</sup> day of February, 2014, the Delaware Public Service Commission ("Commission") determines and orders the following:

**WHEREAS**, on October 7, 2013, Vodafone Global Enterprise Inc. ("Vodafone") filed an application ("Application") with the Commission for a Certificate of Public Convenience and Necessity ("CPCN") to provide resold intrastate long distance telecommunications services within the State of Delaware; and

**WHEREAS**, a copy of the Application was provided to the Division of the Public Advocate; and

**WHEREAS**, pursuant to 26 *Del. Admin. C.* §4001-4.3, Vodafone provided to Staff affidavits of publication dated November 12, 2013, showing that Vodafone has published a public notice of the Application, including a period for filing objections, in The News Journal and the Delaware State News newspapers on November 12, 2013; and

**WHEREAS**, Staff did not receive any comments or objections to the Application; and

**WHEREAS**, as part of the Application and as required by 26 *Del. Admin. C.* §§4001-4.2 and 4.4, Vodafone submitted its Certificate of

Incorporation, a certificate of good standing from the Secretary of State of the State of Delaware dated September 5, 2013; and

**WHEREAS**, Staff reports that Vodafone, a Delaware corporation that is legally authorized and qualified to do business in the State of Delaware, has provided a Letter of Credit in the amount of \$10,000.00 from a Delaware surety, has provided an initial tariff, and has demonstrated that it has the financial, operational, and technical ability to render services within the State of Delaware as required by 26 *Del. C.* §203A and 26 *Del. Admin. C.* §§4001-4.2 - 4.5, 4.6.1, 4.8.1, and 4.9 for a CPCN; and

**WHEREAS**, Staff also reports that the proposed tariff for its telecommunications services to be provided in the State of Delaware meets the requirements of 26 *Del. Admin. C.* §§4001-4.5 and 4.8; and

**WHEREAS**, Staff also reports that the Application satisfies the minimum requirements of 26 *Del. Admin. C.* §4001; and

**WHEREAS**, Vodafone respectfully requested, as part of its Application, that the Commission waive the requirement set forth in 26 *Del. C.* §208(b) so that Vodafone may maintain in an office outside the State of Delaware its books, accounts, papers, records, and memoranda which relate to its Delaware operations;

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

1. Pursuant to 26 *Del. C.* §§ 203A and 703(4) and 26 *Del. Admin. C.* §4001, the Commission hereby grants to Vodafone a CPCN to operate as a public utility and provide intrastate telecommunications services as described in the Application and the tariff Vodafone has

on file with the Commission as the same may, from time to time, be amended. Such CPCN is effective as of the date of this Order.

2. Vodafone shall provide intrastate telecommunications services in the manner required under Delaware law and the Commission's "Rules for the Provision of Telecommunications Services" (26 *Del. Admin. C.* §4001) and shall comply at all times with all applicable provisions of Delaware law, regulations, rules, orders, and all other applicable laws. Vodafone shall also file returns and pay all assessments and fees as may be required by the provisions of 26 *Del. C.* §§114 and 115.

3. The provisions of 26 *Del. C.* §208(b) are hereby waived, and Vodafone is authorized to maintain outside the State of Delaware its books, accounts, papers, records, and memoranda that are related to its Delaware operations; provided, however, and upon the condition that, Vodafone shall provide to the Commission at its Dover, Delaware office, in a timely manner and upon the written request of the Commission's Executive Director, all such books, accounts, papers, records, and memoranda relating to Vodafone's Delaware operations as the Commission may deem reasonably necessary from time to time for review and copying. If the Commission must review the Delaware related books, accounts, papers, records, and/or memoranda of Vodafone at a location other than at the Commission's Dover, Delaware office, Vodafone shall pay for the expenses of such review.

4. Vodafone shall comply with all state and federal statutes and rules relating to a customer's selection of a preferred carrier of telecommunications services. Vodafone agrees to pay all fees,

assessments, penalties, and allowed damages arising from a violation of such state and federal statutes or regulations pertaining to the selection of a preferred carrier.

5. A violation of this Order, any provision of Delaware law, the Commission's Rules and Regulations, or other applicable law, rule, regulation, or order may result in suspension or revocation of the CPCN.

6. Vodafone is hereby placed on notice that the costs of the proceedings will be charged to it under the provisions of 26 Del. C. §114(b)(1).

7. 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/ Dallas Winslow  
Chair

/s/ Joann T. Conaway  
Commissioner

/s/ Jaymes B. Lester  
Commissioner

/s/ Jeffrey J. Clark  
Commissioner

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Commissioner

ATTEST:

/s/ Alisa Carrow Bentley  
Secretary