

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

IN THE MATTER OF THE APPLICATION OF        )  
BIG PLANET, INC., FOR AUTHORITY TO        )        PSC DOCKET NO. 03-558  
ABANDON SERVICE WITHIN THE STATE OF        )  
DELAWARE (FILED DECEMBER 31, 2003)        )

**ORDER NO. 6343**

**AND NOW**, to-wit, this 13<sup>th</sup> day of January, 2004;

**WHEREAS**, on December 31, 2003, Big Planet, Inc. ("Big Planet"), filed an application seeking authority to abandon service within the State of Delaware; and

**WHEREAS**, Big Planet 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. 4920 in PSC Docket No. 98-235 (Oct. 13, 1998); 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**, Big Planet filed with the Commission a verified application seeking the entry of an Order of the Commission canceling and terminating its CPCN; and

**WHEREAS**, Big Planet 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 and local exchange 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,

**IT IS ORDERED:**

1. That, upon the express condition that the representations in the verified application of Big Planet, Inc., are true and correct, said application to abandon the provision of competitive intrastate telecommunications service as a public utility filed by Big Planet, 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/ Joshua M. Twilley  
Vice Chair

/s/ Joann T. Conaway  
Commissioner

/s/ Donald J. Puglisi  
Commissioner

PSC Docket No. 03-558, Order No. 6343 Cont'd.

/s/ Jaymes B. Lester  
Commissioner

ATTEST:

/s/ Karen J. Nickerson  
Secretary