

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

IN THE MATTER OF THE APPLICATION OF)
CONVERGIA, INC., FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY TO) PSC DOCKET NO. 04-404
PROVIDE COMPETITIVE INTRASTATE TELECOM-)
MUNICATIONS SERVICES WITHIN THE STATE OF)
DELAWARE (FILED OCTOBER 22, 2004))

ORDER NO. 6562

AND NOW, to-wit, this 25th day of January, A.D. 2005;

WHEREAS, on October 22, 2004, Convergia, Inc. ("Convergia"), filed an application with the Delaware Public Service Commission ("PSC" or "Commission") for a Certificate of Public Convenience and Necessity ("CPCN") to provide intrastate telecommunications services to the public between and among all points throughout the State of Delaware through resale of similar services offered by other telecommunications carriers. Convergia has also filed a proposed tariff setting forth the rates, terms, and conditions for its proposed services;

AND WHEREAS, the PSC has reviewed the application of Convergia for a CPCN and has determined that the application, as filed on October 22, 2004, satisfies the minimum requirements of the Commission's "Rules for the Provision of Telecommunications Services;"¹

WHEREAS, the Commission determines that a Certificate of Public Convenience and Necessity should be granted to Convergia authorizing it, as a public utility, to offer telecommunications services under the provision of the Commission's "Rules for the Provision of Telecommunications Services;"

¹Adopted in PSC Order No. 5833 (eff. Dec. 10, 2001).

AND WHEREAS, the Commission, after publication of notice, has not received any protest concerning the proposed granting of such Certification to the Applicant; 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 Convergia, Inc., to operate as a public utility and provide intrastate telecommunications services as described in the application filed on October 22, 2004, and as specified in the Tariff the Applicant has on file with the Commission as the same may, from time to time, be amended. Such Certificate is effective on the date of this Order.

2. That Convergia, Inc., shall provide 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. Convergia, 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.

3. That the provisions of 26 Del. C. § 208(b) are waived, and Convergia, 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 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.

4. That Convergia, Inc., shall comply with all state and federal statutes and rules relating to a customer's selection of a preferred carrier of telecommunications services. Convergia, Inc., 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.

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

6. 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

Commissioner

Commissioner

ATTEST:

/s/ Norma J. Sherwood
Acting Secretary