

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

IN THE MATTER OF THE APPLICATION OF)
INTELLIFIBER NETWORKS, INC. FOR A)
CERTIFICATE OF PUBLIC CONVENIENCE AND) PSC DOCKET NO. 10-113
NECESSITY TO PROVIDE COMPETITIVE INTRASTATE)
TELECOMMUNICATIONS SERVICES WITHIN THE)
STATE OF DELAWARE)
(FILED MARCH 24, 2010))

ORDER NO. 7766

AND NOW, this 4th day of May, 2010:

WHEREAS, on March 24, 2010, Intellifiber Networks, Inc. ("Intellifiber"), filed an application (the "Application") with the Delaware Public Service Commission (the "Commission") for a Certificate of Public Convenience and Necessity (a "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. Intellifiber has also filed a proposed tariff setting forth the rates, terms, and conditions for its proposed services; and

WHEREAS, Commission Staff has reviewed the Application and has determined that the application satisfies the minimum requirements of the Commission's "Rules for the Provision of Telecommunications Services" (the Rules"),¹ and

WHEREAS, the Commission determines that a CPCN should be granted to Intellifiber authorizing it, as a public utility, to offer telecommunications services pursuant to the Rules; and

¹ See 26 Del. Admin. C. § 4001.

WHEREAS, the Commission, after publication of notice, has not received any protest or comments concerning the proposed granting of such CPCN Applicant;

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

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 Intellifiber Networks, Inc. to operate as a public utility and provide intrastate telecommunications services as described in the application filed on March 24, 2010, and as specified in the Tariff Intellifiber Networks, Inc. has on file with the Commission as the same may, from time to time, be amended. Such Certificate of Public Convenience and Necessity is effective on the date of this Order.

2. That Intellifiber Networks, 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. Intellifiber Networks, 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 Intellifiber Networks, 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 Executive Director. The conduct of such a review at a location other than Delaware shall be at the Applicant's expense.

4. That Intellifiber Networks, Inc., shall comply with all state and federal statutes and rules relating to a customer's selection of a preferred carrier of telecommunications services. Intellifiber Networks, 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/ Joann T. Conaway
Commissioner

/s/ Jaymes B. Lester
Commissioner

/s/ Jeffrey J. Clark
Commissioner

Commissioner

ATTEST:

/s/ Alisa Carrow Bentley
Secretary