

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

IN THE MATTER OF THE ABANDONMENT OF )  
THE AUTHORITY TO CONDUCT )  
INTEREXCHANGE INTRASTATE PAYPHONE )  
SERVICES WITHIN THE STATE OF ) PSC DOCKET NO. 12-412  
DELAWARE FOR NICHOLAS PAPADEAS )  
D/B/A HELLENIC TELECOM )  
(FILED AUGUST 30, 2012) )

**ORDER NO. 8229**

**AND NOW**, to-wit, this 23<sup>rd</sup> day of October 2012;

**WHEREAS**, on September 17, 2001, Nicholas Papadeas, d/b/a Hellenic Telecom ("HT") applied within the Public Services Commission ("Commission") for a Certificate of Public Convenience and Necessity ("CPCN") to conduct interexchange intrastate payphone services within the State of Delaware; and

**WHEREAS**, 26 *Del. Admin. C.* §4002-2.3.6 requires each applicant seeking a CPCN to supply to the Commission a written statement affirming that the applicant agrees to comply with all of the provisions of the Commission Regulations, and HT submitted to the Commission such written statement; and

**WHEREAS**, on September 17, 2001, the Commission granted HT a CPCN effective September 17, 2001; and

**WHEREAS**, Mr. Nicholas stated that HT has no payphones in Delaware and wishes to abandon its CPCN as a provider of payphone services in the State of Delaware; and

**WHEREAS**, on August 30, 2012, the Commission Staff sent a letter which requested an official for HT to complete an Affidavit of General

Compliance and confirm that HT had abandon its CPCN to provide payphone services in the State of Delaware; and

**WHEREAS**, the Affidavit had to be returned by September 13, 2012. As of September 21, 2012, Staff did not receive such Affidavit of General Compliance; and

**WHEREAS**, 26 *Del. Admin. C.* §4002-2.6 requires that each certificated payphone service provider must notify the Commission in writing within ten days following the change of any information required by 26 *Del. C.* §§4002-2.3.1 through 2.3.8; 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**, 26 *Del. Admin. C.* §4002-2.7 requires that each certificated payphone service provider must provide written notice to the Commission at least ten days prior to the cession of all operations as a payphone provider in the State of Delaware; and

**WHEREAS**, HT either has failed to provide the Commission with written notice as required by 26 *Del. Admin. C.* §4002-2.6 that it has changed its business address or has failed to provide the Commission with written notice as required by 26 *Del. C.* §203A(c) (1) and 26 *Del. Admin. C.* §4002-2.7 that it has ceased all operations as a payphone provider in the State of Delaware; and

**WHEREAS**, HT has therefore violated the terms of its Certificate of Public Convenience and Necessity to provide payphone services in the

State of Delaware in that it has failed to comply with the provisions of the Commission's Regulations and/or Delaware law; and

**WHEREAS**, the Commission Staff posted a public notice on its website on September 19, 2012, which stated that if HT failed to comply with the Commission's Regulations and/or Delaware Law on or before October 5, 2012, the Commission would revoke the company's CPCN for interexchange intrastate payphone services within the State of Delaware; and

**WHEREAS**, HT failed to respond by such deadline;

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

1. That the Certificate of Public Convenience and Necessity of Nicholas Papadeas, d/b/a Hellenic Telecom, to conduct interexchange intrastate payphone services within the State of Delaware which the Commission granted effective September 17, 2001 is hereby revoked 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/ Dallas Winslow  
Chair

/s/ Joann T. Conaway  
Commissioner

/s/ Jaymes R. Lester  
Commissioner

/s/ Jeffrey J. Clark  
Commissioner

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Commissioner

ATTEST:

/s/ Alisa Carrow Bentley  
Secretary