

**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. 12-396
DELAWARE FOR PACIFIC COIN, INC.)
(FILED AUGUST 27, 2012))

ORDER NO. 8369

AND NOW, to-wit, this 7th day of May 2013;

WHEREAS, on May 11, 1998, Pacific Coin, Inc. ("Pacific Coin") applied with the Public Service 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 Pacific Coin submitted to the Commission such written statement; and

WHEREAS, on May 12, 1998, the Commission granted Pacific Coin a CPCN effective May 11, 1998; and

WHEREAS, on or about February 15, 2002, the Commission Staff sent by first-class mail, postage pre-paid, an annual assessment to Pacific Coin at the company's business address as set forth in the records of the Commission; and

WHEREAS, the assessment envelope was returned to the Commission with a note stating that Pacific Coin had ceased operations in the State of Delaware in 2002; and

WHEREAS, On August 27, 2012, the Commission Staff mailed a letter which requested that an official of Pacific Coin complete an Affidavit of General Compliance ("Affidavit") and confirm that Pacific Coin had abandoned its CPCN to provide payphone services in the State of Delaware; and

WHEREAS, on September 6, 2012, such Affidavit was returned by the United States Postal Service as "Return to Sender;" 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, Pacific Coin 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, Pacific Coin, has therefore violated the terms of its CPCN 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 the Commission's website on September 14, 2012, which stated that if Pacific Coin failed to comply with the Commission's Regulations and/or Delaware Law on or before October 1, 2012, the Commission would revoke the company's CPCN for interexchange intrastate payphone services within the State of Delaware; and

WHEREAS, Pacific Coin 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 Pacific Coin, Inc. to conduct interexchange intrastate payphone services within the State of Delaware, which the Commission granted effective May 11, 1998, 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:

Chair

/s/ Joann T. Conaway
Commissioner

Commissioner

/s/ Jeffrey J. Clark
Commissioner

/s/ Jaymes B. Lester
Commissioner

ATTEST:

/s/ Alisa Carrow Bentley
Secretary