

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

IN THE MATTER OF THE APPLICATION OF )  
GRASSHOPPER GROUP, LLC FOR A )  
CERTIFICATE OF PUBLIC CONVENIENCE )  
AND NECESSITY TO PROVIDE COMPETITIVE )  
INTRASTATE INTEREXCHANGE ) PSC DOCKET NO. 13-4  
TELECOMMUNICATIONS SERVICES )  
WITHIN THE STATE OF DELAWARE )  
(FILED JANUARY 8, 2013, AND AMENDED )  
JUNE 28, 2013) )

**ORDER NO. 8449**

**AND NOW**, this 27<sup>th</sup> day of August, 2013, the Delaware Public Service Commission ("Commission") determines and orders the following:

**WHEREAS**, on January 8, 2013, Grasshopper Group, LLC ("Grasshopper Group") filed an application (the "Application") with the Commission seeking a Certificate of Public Convenience and Necessity ("CPCN") to allow it to provide competitive intrastate interexchange telecommunications services within the State of Delaware; and

**WHEREAS**, Grasshopper Group also requested, as part of its Application, that the Commission waive the requirement set forth in 26 *Del. C.* §208(b) so that Grasshopper Group may maintain in an office outside the State of Delaware its books, accounts, papers, records, and memoranda which relate to its Delaware operations; and

**WHEREAS**, a copy of the Application was provided to the Division of the Public Advocate, and public notice of the Application, including a period for filing objections, was

published in The News Journal and the Delaware State News newspapers on February 20, 2013; and

**WHEREAS**, the Commission Staff ("Staff") did not receive any comments or objections to the Application; and

**WHEREAS**, Staff reports that Grasshopper Group, a Massachusetts limited liability company that is legally authorized and qualified to do business in the State of Delaware, represents that it is currently authorized to provide telecommunications services in more than twenty other states, has provided Staff with a plan identifying intrastate versus interstate traffic, has posted a \$10,000 letter of credit, has provided an initial tariff, and has demonstrated that it has the financial, operational, and technical ability to render services within the State of Delaware as required by 26 *Del. C.* §203A and 26 *Del. Admin. C.* §§4001-4.4, 4.5, 4.6.1, 4.8.1, and 4.9 for a CPCN; and

**WHEREAS**, the Commission determines that a CPCN should be granted to Grasshopper Group to authorize it, as a public utility, to offer competitive intrastate interexchange telecommunications services under the provisions of the Delaware Code and the Commission's Rules (26 *Del. Admin. C.* §4001 et seq.), subject to the condition that Grasshopper Group completes the conditions described in the ordering paragraphs below;

**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(4) and the Commission's "Rules for the Provision of Telecommunications

Services" (26 Del. Admin. C. §4001 et seq.) (the "Rules"), a Certificate of Public Convenience and Necessity ("CPCN") is hereby granted to Grasshopper Group, LLC to operate as a public utility and provide intrastate interexchange telecommunications services as described in the Application filed on January 8, 2013, and amended June 28, 2013. Such CPCN is effective on the date of this Order.

2. That Grasshopper Group, LLC shall provide intrastate interexchange telecommunications services in the manner required under Delaware law and by the Rules and shall comply at all times with all applicable provisions of Delaware law, rules, orders, and all other laws. Grasshopper Group, LLC shall also file 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 hereby waived, and Grasshopper Group, LLC is authorized to maintain outside the State of Delaware its books, accounts, papers, records, and memoranda that are related to its Delaware operations; provided, however, and upon the condition that, Grasshopper Group, LLC shall provide to the Commission at its Dover, Delaware office, in a timely manner and upon the written request of the Commission's Executive Director, all such books, accounts, papers, records, and memoranda relating to Grasshopper Group, LLC's Delaware operations as the Commission may deem reasonably necessary from time to time for review and copying. If the Commission must review the Delaware related books,

accounts, papers, records, and/or memoranda of Grasshopper Group, LLC at a location other than at the Commission's Dover, Delaware office, Grasshopper Group, LLC shall pay for the expenses of such review.

5. That a violation of this Order, any provision of Delaware law, the Commission's Rules and Regulations, or other applicable law, rule, or regulation may result in suspension or revocation of the CPCN.

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:

\_\_\_\_\_  
Chair

/s/ Joann T. Conaway  
Commissioner

/s/ Jeffrey J. Clark  
Commissioner

/s/ Jaymes B. Lester  
Commissioner

\_\_\_\_\_  
Commissioner

ATTEST:

/s/ Alisa Carrow Bentley  
Secretary