

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

IN THE MATTER OF THE CREXANDO BUSINESS)
SOLUTIONS, INC FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO PROVIDE LOCAL)
AND COMPETITIVE INTRASTATE) PSC Docket No. 11-113
TELECOMMUNICATIONS SERVICES WITHIN THE)
STATE OF DELAWARE, AND FOR REVIEW OF A)
PLAN FOR PROVIDING INTRALATA TOLL DIALING)
PARITY IN ACCORDANCE WITH FEDERAL)
COMMUNICATION REQUIREMENTS)
(FILED FEBRUARY 23, 2011))

ORDER NO. 7961

AND NOW, this 24th day of May, 2011:

WHEREAS, On February 23, 2011, Crexendo Business Solutions, Inc. ("Crexendo" or the "Company"), filed an application (the "application") with the Commission (the "Commission") seeking a Certificate of Public Convenience and Necessity ("CPCN") to allow it to provide local and competitive intrastate telecommunications services within the State of Delaware. With its application, Crexendo also filed an illustrative tariff setting forth the term and conditions of its proposed services; and

WHEREAS, public notice of the application, including a period for filing objections, was published in The News Journal newspaper and the Delaware State News newspaper on March 30, 2011. No comments or objections to the application have been received. The Commission Staff reports that Crexendo, an Arizona corporation headquartered in Tempe, Arizona, represents that it is currently authorized to provide telecommunications services in approximately 34 States and Washington D.C., has shown that it has the financial, technical, and managerial

capabilities as required for a CPCN as set forth in the Commission's "Rules for the Provision of Telecommunications Services." See 26 *DE Admin. Code* §4001 (the "Rules").

WHEREAS, the Commission determines that a CPCN should be granted to Crexendo Business Solutions, Inc. authorizing it, as a public utility, to offer local exchange and other competitive intrastate telecommunication services under the provisions of the Commission's Rules subject to the condition that the Company completes the conditions described in Ordering Paragraph

NOW THEREFORE, IT IS 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" (26 *DE Admin. Code* §4001) a Certificate of Public Convenience and Necessity is hereby granted to Crexendo Business Solutions, Inc. to operate as a public utility and provide local telecommunications exchange services and other competitive intrastate telecommunications services as described in the application filed on February 23, 2011. Such Certificate of Public Convenience and Necessity is effective on the date of this Order.

2. That Crexendo Business Solutions, Inc. provide intrastate telecommunications services in the manner required by the Commission's "Rules for the Provision of Telecommunications Services" (26 *DE Admin. Code* §4001) and shall, at all times, comply with all applicable provisions of such Rules. Crexendo, 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 certificate for local exchange telecommunications services is awarded upon, and subject to, the following conditions:¹

- (a) That ten (10) days prior to the date Crexendo intends to offer and implement local exchange telecommunication services, Crexendo shall file a final tariff, with rules, regulations, terms, and conditions of service specifically adopted for Delaware; and
- (b) That Crexendo has a Commission approved interconnection agreement or a filed "opt-in" agreement between Crexendo and Verizon Delaware LLC, or another certificated local exchange carrier.

4. That the provisions of 26 *Del. C.* § 208(b) are waived, and Crexendo 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.

5. That a violation of this Order, the Commission rules and regulations, or other applicable law may result in suspension or revocation of this Certificate.

¹ These conditions must be completed within 6 months of the date of this Order.

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/ Dallas Winslow
Commissioner

/s/ Jeffrey J. Clark
Commissioner

ATTEST:

/s/ Alisa Carrow Bentley
Secretary