

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

IN THE MATTER OF THE APPLICATION OF )  
DONNA M. DAVIS, D/B/A D PHONE CO )  
FOR AUTHORITY TO ABANDON )  
INTEREXCHANGE INTRASTATE PAY PHONE ) PSC DOCKET NO. 12-252  
SERVICES WITHIN THE STATE OF )  
DELAWARE )  
(FILED JUNE 5, 2012) )

**ORDER NO. 8161**

**AND NOW**, to-wit, this 19th day of June 2012;

**WHEREAS**, on June 5, 2012, Donna M. Davis, d/b/a D Phone Co. ("D Phone"), filed an application seeking authority to abandon interexchange intrastate pay phone services within the State of Delaware ("Application"); and

**WHEREAS**, pursuant to the Delaware Code, 26 *Del. C.* §§203A and 703(3), and the Regulations Governing Payphone Service Providers in Delaware, 26 *Del. Admin. C.* §4002, the Commission granted D Phone a Certificate of Public Convenience and Necessity ("CPCN") to provide interexchange intrastate pay phone services on May 8, 2002; and

**WHEREAS**, 26 *Del. C.* §203A(c)(1) provides that no public utility shall abandon or discontinue, in whole or in part, any regulated public utility 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**, D Phone filed with the Commission a verified application seeking the entry of an Order of the Commission canceling and terminating its CPCN; and

**WHEREAS**, D Phone has asserted that it does not provide any pay phone services in Delaware; and

**WHEREAS**, the Commission has determined that it should routinely approve applications to terminate CPCNs which were granted to provide interexchange intrastate pay phone services so long as the applicant files a verified application and that, in a competitive market, such abandonment or discontinuance is presumptively reasonable, necessary, and not unduly disruptive to the present or future public convenience;

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

1. That, upon express conditions that the representations in the verified application of Donna M. Davis, d/b/a D Phone Co., are true and correct, said application filed by Donna M. Davis, d/b/a D Phone Co., to abandon the provision of interexchange intrastate pay phone services as a public utility is hereby granted and approved 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:

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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