

**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 DELAWARE FOR PEOPLES ) PSC DOCKET NO. 12-315  
TELEPHONE COMPANY, INC. )  
(FILED JUNE 29, 2012) )

**ORDER NO. 8184**

**AND NOW**, to-wit, this 18th day of September 2012;

**WHEREAS**, on March 16, 1998, Peoples Telephone Company, Inc. ("Peoples") applied with 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 Peoples submitted to the Commission such written statement; and

**WHEREAS**, on March 16, 1998, the Commission granted Peoples a CPCN effective March 16, 1998; and

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

**WHEREAS**, on February 19, 2002, the Commission received a letter from Peoples Telephone Company, Inc. stating that it currently had no operations as a payphone provider in the State of Delaware; and

**WHEREAS**, on August 6, 2012, the Commission Staff mailed a letter which requested that an official for Peoples complete an Affidavit of General Compliance and confirm that Peoples had abandoned its CPCN to provide payphone services in the State of Delaware; and

**WHEREAS**, on August 13, 2012, such Affidavit of General Compliance was returned by the United States Postal Service as "undeliverable;" 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**, Peoples 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 prior 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**, Peoples 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 the Commission's website on August 29, 2012, which stated that if Peoples failed to comply with the Commission's Regulations and/or Delaware Law on or before September 14, 2012, the Commission would revoke the company's CPCN for interexchange intrastate payphone services within the State of Delaware; and

**WHEREAS**, Peoples 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 Peoples Telephone Company, Inc. to conduct interexchange intrastate payphone services within the State of Delaware which the Commission granted effective March 16, 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:

/s/ Dallas Winslow  
Chair

/s/ Joann T. Conaway  
Commissioner

/s/ Jaymes B. Lester  
Commissioner

/s/ Jeffrey J. Clark  
Commissioner

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Commissioner

ATTEST:

/s/ Alisa Carrow Bentley  
Secretary