

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

IN THE MATTER OF THE APPLICATION OF)
ANPI, LLC FOR A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY TO)
PROVIDE COMPETITIVE INTEREXCHANGE)
INTRASTATE LONG DISTANCE) PSC DOCKET NO. 12-220
TELECOMMUNICATIONS SERVICES)
WITHIN THE STATE OF DELAWARE)
(FILED MAY 17, 2012))

ORDER NO. 8209

AND NOW, to-wit, this 5th day of September 2012, the Commission determines and orders the following:

WHEREAS, on May 17, 2012, ANPI, LLC ("ANPI") filed an application (the "Application") with the Delaware Public Service Commission (the "Commission") seeking a Certificate of Public Convenience and Necessity ("CPCN") to allow it to provide competitive interexchange intrastate long distance telecommunications services within the State of Delaware; and

WHEREAS, ANPI also requested, as part of its Application, that the Commission waive the requirements set forth in 26 Del. C. §208(b) so that ANPI may maintain its books, accounts, paper, records, and memoranda which relate to its Delaware operations in an office outside the State of Delaware; 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 July 23, 2012; and

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

WHEREAS, Staff reports that ANPI, a Delaware corporation, represents that it is currently authorized to provide telecommunications services thirty-nine (39) other states, has provided Staff with a plan identifying intrastate versus interstate traffic, has posted a \$10,000 performance bond with a Delaware surety, has provided an initial tariff, and has demonstrated that it has the financial, operational, technical, capability to render service within the State of Delaware as required by 26 *Del. Admin. C.* §4001-4.5, 4.6, 4.8.1, and 4.9 for a CPCN; and

WHEREAS, the Commission determines that a CPCN should be granted to ANPI to authorize it, as a public utility, to offer competitive interexchange intrastate long distance telecommunications services under the provisions of the Commission's Rules (26 *Del. Admin. C.* §4001), subject to the condition that ANPI completes the conditions described in the Ordering Paragraphs;

**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(3) and the Commission's "Rules for the Provision of Telecommunications Services" (26 *Del. Admin. C.* §4001) (the "Rules"), a Certificate of Public Convenience and Necessity ("CPCN") is hereby granted to APNI, LLC to operate as a public utility and provide interexchange intrastate long distance telecommunications services as described in the Application filed on May 17, 2012. Such CPCN is effective on the date of this Order.

2. That APNI, LLC shall provide interexchange intrastate long distance telecommunications services in the manner required by the Communication's Rules and at all times shall comply with all applicable provisions of such Rules and the Delaware Code. ANPI, 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 APNI, 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 conditions that, APNI, 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/or memoranda relating to ANPI, 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 ANPI, LLC at a location other than at the Commission's Dover, Delaware office, ANPI, LLC shall pay for the expenses of such review.

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

5. 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/ Jaymes B. Lester
Commissioner

/s/ Joann T. Conaway
Commissioner

/s/ Jeffrey J. Clark
Commissioner

Commissioner

ATTEST:

/s/ Alisa Carrow Bentley
Secretary