

**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) PSC DOCKET NO. 12-413
THE STATE OF DELAWARE FOR JLR)
COMMUNICATIONS, INC.)
(FILED AUGUST 30, 2012))

ORDER NO. 8230

AND NOW, to-wit, this 23rd day of October 2012;

WHEREAS, on September 17, 2001, Nicholas Papadeas, d/b/a Hellenic Telecom ("Papadeas") 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 Papadeas submitted to the Commission such written statement; and

WHEREAS, on September 17, 2001, the Commission granted Papadeas a CPCN effective September 17, 2001; and

WHEREAS, Staff was informed by Papadeas that Papadeas had no payphones in Delaware and wished to abandon his CPCN as a provider of payphone services in the State of Delaware; and

WHEREAS, on August 30, 2012, the Commission Staff sent a letter which requested that Papadeas complete an Affidavit of General Compliance ("Affidavit") and confirm that he had

abandoned his CPCN to provide payphone services in the State of Delaware; and

WHEREAS, the Affidavit had to be returned by September 13, 2012. As of September 21, 2012, Staff did not receive such Affidavit of General Compliance; 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, Papadeas either has failed to provide the Commission with written notice as required by 26 *Del. Admin. C.* §4002-2.6 that he has changed its business address or has failed to provide the Commission with written notice as required by 26

Del. C. §203A(c) (1) and *26 Del. Admin. C. §4002-2.7* that he has ceased all operations as a payphone provider in the State of Delaware; and

WHEREAS, Papadeas has therefore violated the terms of his CPCN to provide payphone services in the State of Delaware in that he 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 September 19, 2012, which stated that if Papadeas failed to comply with the Commission's Regulations and/or Delaware Law on or before October 5, 2012, the Commission would revoke Papadeas' CPCN for interexchange intrastate payphone services within the State of Delaware; and

WHEREAS, Papadeas 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 Nicholas Papadeas d/b/a Hellenic Telecom to conduct interexchange intrastate payphone services within the State of Delaware, which the Commission granted effective September 17, 2001, 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 R. Lester
Commissioner

/s/ Jeffrey J. Clark
Commissioner

Commissioner

ATTEST:

/s/ Alisa Carrow Bentley
Secretary