

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

IN THE MATTER OF THE APPLICATION OF)
JDS COMMUNICATIONS, INC. FOR AUTHORITY)
TO ABANDON INTEREXCHANGE INTRASTATE) PSC DOCKET NO. 12-442
PAYPHONE SERVICE WITHIN THE STATE OF)
DELAWARE (FILED SEPTEMBER 17, 2012))

ORDER NO. 8293

AND NOW, to-wit, this 21st day of February, 2013;

WHEREAS, pursuant to 26 *Del. C.* §203A and the Regulations Governing Payphone Service Providers in Delaware, 26 *Del. Admin. C.* §4002, the Delaware Public Service Commission ("Commission") granted JDS Communications, Inc. ("JDS") a Certificate of Public Convenience and Necessity ("CPCN") to provide interexchange intrastate payphone services on November 16, 1999; and

WHEREAS, the Commission's 2003 annual assessment letter sent to JDS was returned by the United States Postal Service as unclaimed; and

WHEREAS, because a certificated payphone service provider may not abandon or discontinue any regulated public utility business, operations, or services provided under a CPCN without first receiving Commission approval for such abandonment or discontinuation, the Commission Staff sent a letter to JDS on September 18, 2012, requesting that an official of JDS complete an Affidavit of General Compliance to confirm that JDS had

abandoned its CPCN for payphone services in the State of Delaware. See 26 Del. C. §203A(c)(1);¹ and

WHEREAS, on October 3, 2012, JDS filed such Affidavit of General Compliance with the Commission; and

WHEREAS, the Commission has determined that it should routinely approve applications to terminate CPCNs which were granted to provide interexchange intrastate payphone 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; and

WHEREAS, by virtual of JDS' returned 2003 annual assessment, in conjunction with the verified Affidavit of General Compliance filed with the Commission (together the "Application"), JDS has filed a verified application to abandon its CPCN for interexchange intrastate payphone services in the State of Delaware and seeks the entry of an Order from the Commission canceling and terminating its CPCN; and

WHEREAS, because Staff has determined that JDS was providing such payphone services in a competitive market and is no longer providing any payphone services in the State of Delaware, Staff believes that JDS' request to abandon

1 In addition, under 26 Del. Admin. C. §§4002-2.3.1, 2.6, and 2.7, each certificated payphone service provider must notify the Commission in writing within ten (10) days following the change of the business address of the applicant and must provide written notice to the Commission at least ten (10) days prior to the cessation of all operations as a payphone service provider in Delaware.

interexchange intrastate payphone service is reasonable and recommends that the Commission grant such request;

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

1. That, upon express condition that JDS Communications, Inc. ("JDS") is no longer providing interexchange intrastate payphone services in the State of Delaware and that the representations in the verified Affidavit of General Compliance (the "Application") of JDS are true and correct, said Application filed by JDS to abandon the provision of interexchange intrastate payphone 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:

/s/ Dallas Winslow
Chair

/s/ Jaymes B. Lester
Commissioner

/s/ Jeffrey J. Clark
Commissioner

Commissioner

Commissioner

ATTEST:

/s/ Alisa Carrow Bentley
Secretary