

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE

IN THE MATTER OF THE PETITION OF)	
TRANS NATIONAL COMMUNICATIONS)	
INTERNATIONAL, INC. FOR A)	
HARDSHIP WAIVER FROM A BOND OR)	PSC DOCKET NO. 13-89
LETTER OF CREDIT REQUIREMENT)	
FILED OCTOBER 16, 2012)	
AND AMENDED MARCH 5, 2013))	

ORDER NO. 8359

AND NOW, this 23rd day of April 2013, the Commission determines and orders the following:

WHEREAS, on October 16, 2012, Trans National Communications International, Inc. ("TNCI") filed a Petition (the "Petition") with the Delaware Public Service Commission (the "Commission") seeking a "hardship" waiver of any bond/letter of credit requirement ("LOC"); and

WHEREAS, 26 Del. Admin. C. §§4.3 and 4.6 requires all telecommunications carriers to post a performance bond or a LOC in the amount of \$10,000; and

WHEREAS, 26 Del. Admin. C. §12.0 states that, "A Carrier may petition the Commission for a waiver of a Rule or Rules on a temporary or permanent basis by demonstrating to the satisfaction of the Commission that a waiver is in the public interest or for other good cause, including unreasonable hardship or burden."; and

WHEREAS, a sale of TNCI is pending that would continue solvency of the entity and that the Commission's bonding requirements will be satisfied within sixty days of such transaction.

WHEREAS, the Commission Staff recommends the granting of the TNCI's Petition for a waiver of Title 26 *Del. Admin. C.* §§4.3 and 4.6 be granted to TNCI to permit it to continue to offer local exchange and competitive intrastate interexchange telecommunications services under the provisions of the Commission's Rules subject to the conditions described in the Ordering Paragraphs;

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

1. That the Petition for waiver of Title 26 *Del. Admin. C.* §§4.3 and 4.6 is granted upon, and subject to, the following conditions:

- (a) That Trans National Communications International, Inc. or any acquiring entity of Trans National Communications International, Inc. shall notify the Commission within sixty (60) days if its financial situation changes from its current Chapter 11 status; and
- (b) That, if a corporation or individual acquires Trans National Communications International, Inc. it will comply with Title 26 *Del. Admin. C.* §§ 4.3. and 4.6 by posting a performance bond with Delaware Surety or filing a Letter of Credit in the amount of \$10,000 within sixty days of the completion of the transaction.

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

3. 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

Commissioner

Commissioner

ATTEST:

/s/ Alisa Carrow Bentley
Secretary