

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

IN THE MATTER OF THE ABANDONMENT OF)
THE AUTHORITY TO CONDUCT)
INTEREXCHANGE INTRASTATE PAYPHONE) PSC DOCKET NO. 12-405
SERVICES WITHIN THE STATE OF DELAWARE)
FOR IDEL, INC. T/A COLONIAL HOTEL)
(FILED AUGUST 28, 2012))

ORDER NO. 8368

AND NOW, to-wit, this 7th day of May, 2013;

WHEREAS, on February 6, 2001, Idel, Inc. t/a Colonial Hotel ("Idel" or the "Company") applied with the Public Service 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's Regulations, and Idel submitted to the Commission such written statement; and

WHEREAS, on February 6, 2001, the Commission granted Idel a CPCN effective February 6, 2001; and

WHEREAS, on or about February, 15 2012, the Commission Staff sent by first-class mail, postage pre-paid, an annual assessment to Idel at the Company's business address as set forth in the records of the Commission; and

WHEREAS, the assessment envelope was returned to the Commission as "Unclaimed;" and

WHEREAS, on August 28, 2012, the Commission Staff mailed a letter to Idel which requested that an official for the Company complete an Affidavit of General Compliance to confirm that Idel had abandoned its CPCN for payphone services in the State of Delaware; and

WHEREAS, the Affidavit had to be returned by September 11, 2012. As of April 29, 2012, Staff has not received such Affidavit of General Compliance; 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, 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, Idel either has failed to provide the Commission written notice as required by 26 Del. C. §203A(c)(1) and 26 Del. Admin. C. §4002-2.7 or has failed to provide the Commission written notice as required by 26 Del. Admin. C. §4002-2.6; and

WHEREAS, Idel has therefore violated the terms of its CPCN for 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 in that it has ceased all operations as a payphone provider in the State of Delaware; and

WHEREAS, the Commission Staff posted a public notice on the Commission's website on September 19, 2012, which stated that if Idel failed to comply with the Commission's Regulations and/or Delaware law on or before October 5, 2012, the Commission would revoke the company's CPCN for interexchange intrastate payphone services within the State of Delaware; and

WHEREAS, Idel 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 Idel, Inc. t/a Colonial Hotel to conduct interexchange intrastate payphone services within the State of Delaware which the Commission granted effective February 6, 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:

Chair

/s/ Joann T. Conaway
Commissioner

/s/ Jeffrey J. Clark
Commissioner

/s/ Jaymes B. Lester
Commissioner

Commissioner

ATTEST:

/s/ Alisa Carrow Bentley
Secretary