

## STATE CORPORATION COMMISSION

AT RICHMOND, APRIL 17, 2008

## APPLICATION OF

WHOLESALE CARRIER SERVICES  
OF VIRGINIA, INC.

CASE NO. PUC-2007-00101

For certificates of public convenience  
and necessity to provide local  
exchange and interexchange  
telecommunications services

2008 APR 17 A 10:53

FINAL ORDER

On October 30, 2007, Wholesale Carrier Services of Virginia, Inc. ("WCS" or "Applicant") filed an application with the State Corporation Commission ("Commission") for certificates of public convenience and necessity ("certificates") to provide local exchange and interexchange telecommunications services throughout the Commonwealth of Virginia. The Applicant also requested authority to price its interexchange telecommunications services on a competitive basis pursuant to § 56-481.1 of the Code of Virginia.

On December 10, 2007, the Commission issued an Order for Notice and Comment ("Notice Order") that docketed the Application as Case No. PUC-2007-00101 and established a procedural schedule in which the Applicant was required to provide public notice of its application by December 19, 2007, and file proof of such notice by January 16, 2008. The Commission invited the public to provide written comments and/or request a hearing by January 2, 2008; the Commission Staff was instructed to review the Application and file a Staff Report summarizing its investigation January 30, 2008; and the Applicant was allowed to respond to Staff's Report and any public comments or requests for hearing by February 6, 2008. On January 11 2008, WCS filed a Motion to Extend Procedural Dates, requesting an additional sixty days to provide the required bond. By Order dated January 23, 2008, the Commission

extended the date by which the performance or surety bond was to be provided until March 7, 2008. The Order also extended the dates of the Staff Report until March 28, 2008, and WCS's response until April 6, 2008. All other provisions of the Notice Order remained in full force and effect.

No party filed written comments responding to the Applicant's request, and no requests for hearing were received by the Commission. The Staff filed its Report on March 28, 2008, in which the Staff recommended that the Commission approve WCS's application for certificates of public convenience and necessity, subject to a requirement that WCS be required to notify the Commission no less than thirty (30) days prior to the cancellation or lapse of its surety bond and should be required to provide a replacement bond at that time. To date, the Applicant has not filed a response to the Staff Report.

NOW THE COMMISSION, in consideration of the foregoing, and having considered the application, the Staff Report, and all applicable law, is of the opinion and finds as follows:

Pursuant to § 56-265.4:4 of the Code, 20 VAC 5-411 (the Rules Governing the Certification of Interexchange Carriers) and 20 VAC 5-417 (the Rules Governing the Certification and Regulation of Competitive Local Exchange Carriers), we find that the Applicant should be granted certificates to provide local exchange and interexchange telecommunications services. Having considered § 56-481.1 of the Code of Virginia, the Commission further finds that the Company may price its interexchange telecommunications services competitively. We will, therefore, issue the requested certificates to Wholesale Carrier Services of Virginia, Inc., subject to the conditions set forth herein.

Accordingly, IT IS ORDERED THAT:

(1) Certificate of Public Convenience and Necessity No. TT-240A shall be issued to Wholesale Carrier Services of Virginia, Inc., authorizing it to provide interexchange telecommunications services throughout Virginia, subject to the restrictions set forth in the Rules Governing the Certification of Interexchange Carrier, § 56-26 5.4:4 of the Code of Virginia, and the provisions of this Order.

(2) Certificate of Public Convenience and Necessity No. T-676 shall be issued to Wholesale Carrier Services of Virginia, Inc., authorizing it to provide local exchange telecommunications services throughout Virginia, subject to the restrictions set forth in the Rules Governing the Certification and Regulation of Competitive Local Exchange Carriers, § 56-265.4:4 of the Code of Virginia, and the provisions of this Order.

(3) Pursuant to § 56-481.1 of the Code of Virginia, the Company may price its interexchange telecommunications services competitively.

(4) The Company shall provide tariffs to the Division of Communications that conform to all applicable Commission rules and regulations.

(5) Wholesale Carrier Services of Virginia, Inc. shall notify the Commission's Division of Economics and Finance no less than thirty (30) days prior to the cancellation or lapse of its bond and shall be required to provide a replacement bond at that time. This requirement shall be maintained until such time as the Commission determines it is no longer necessary.

(6) There being nothing further to be done herein, this matter shall be dismissed from the Commission's docket of active cases.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to: Eric M. Page, Esq., LeClairRyan, Riverfront Plaza, East Tower, 951 East Byrd Street, Floor 8, Richmond, Virginia 23218-2499; Lance J. M. Steinhart, Esq., Lance J. M. Steinhart, PC, 1720

Windward Concourse, Suite 115, Alpharetta, Georgia 30005; C. Meade Browder, Jr., Senior Assistant Attorney General, Division of Consumer Counsel, Office of Attorney General, 900 East Main Street, 2nd Floor, Richmond, Virginia 23219; and the Commission's Divisions of Communications, Public Service Taxation, and Economics and Finance.