

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265**

Public Meeting held March 28, 2002

Commissioners Present:

Glen R. Thomas, Chairman
Robert K. Bloom, Vice-Chairman
Kim Pizzingrilli
Aaron Wilson, Jr.
Terrance J. Fitzpatrick

DOCKETED
APR 25 2002

Pennsylvania Public Utility Commission
Law Bureau Prosecutory Staff

Docket No.
C-20015706

v.

Fairpoint Communication Solutions Corporation (1998.0232.01)

A-310725

DEFAULT ORDER

BY THE COMMISSION:

**DOCUMENT
FOLDER**

On June 25, 2001, the Law Bureau Prosecutory Staff filed a Formal Complaint proceeding against Fairpoint Communication Solutions Corporation (the Respondent), an IXC reseller certificated at A-310725. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa. C.S. §504 its 1999 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa. C.S. §504 by failing to file its 1999 Annual Report.

The Complaint requested that the Commission issue an order cancelling the Respondent's certificate of public convenience for failure to file its 1999 Annual Report.

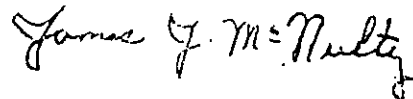
According to the U.S. Postal Service return receipt, service of the Complaint was perfected on June 28, 2001. To date, more than 20 days later, no answer has been filed to the Complaint and the 1999 Annual Report has not been filed; **THEREFORE,**

IT IS ORDERED:

1. That the allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.
2. That the Secretary serve a copy of this Order upon all jurisdictional telecommunication carriers and also cause a copy of this Order to be published in the Pennsylvania Bulletin with a 20-day comment period.
3. That Fairpoint Communication Solutions Corporation immediately cease providing service to any new customers and, within 10 days of the entry date of this Order, provide written notice to any existing customers directing each to select an alternative IXC service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.
4. That absent the filing of adverse public comment, 30 days after publication and without further action by the Commission, the certificate of public convenience held by Fairpoint Communication Solutions Corporation at A-310725 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and

Annual Report Section of the Commission's Bureau of Fixed Utility Services and the
Assessment Section of the Bureau of Administrative Services.

BY THE COMMISSION,



James, J. McNulty
Secretary

(SEAL)

ORDER ADOPTED: March 28, 2002

ORDER ENTERED: **APR 04 2002**