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BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

CP 1051

In the Matter of)
)
ELK VALLEY INCORPORATED,)
)
Application for a Certificate of Authority to)
Provide Telecommunications Service in)
Oregon and Classification as a Competitive)
Provider.)

ORDER

DISPOSITION: CANCELLATION ORDER RESCINDED

On June 18, 2002, the Commission granted a certificate of authority to Elk Valley Incorporated (Elk Valley) to provide telecommunications service in Oregon as a competitive provider. See Order No. 02-392. Oregon telecommunications providers are required to provide requested information to the Commission. After investigation, the Commission found that Elk Valley failed to comply with Oregon Universal Service Fund requirements per ORS 759.425. At the April 15, 2003, public meeting the Commission determined that Elk Valley's certificate of authority should be canceled. Elk Valley's certificate of authority was canceled in Order No. 03-248.

On June 23, 2003, Elk Valley filed a request to suspend Order No. 03-248, claiming that it had complied with the Commission's rules and regulations. A review of the Commission's records indicates that Elk Valley filed the requested information on June 23, 2003.

The information sent by Elk Valley to the Commission was late. However, the information has been received and it indicates Elk Valley is providing telecommunications service in Oregon. Under the circumstances, the cancellation of Elk Valley's certificate should be rescinded.

ORDER

IT IS ORDERED that Order No. 03-248 canceling the certificate of authority of Elk Valley Incorporated, is rescinded.

Made, entered, and effective _____.

John Savage
Director
Utility Program

A party may request rehearing or reconsideration of this order pursuant to ORS 756.561. A request for rehearing or reconsideration must be filed with the commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-014-0095. A copy of any such request must also be served on each party to the proceeding as provided by OAR 860-013-0070(2). A party may appeal this order to a court pursuant to applicable law.