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BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

CP 1181

In the Matter of)
)
 BEAVER CREEK COOPERATIVE)
 TELEPHONE COMPANY)
)
 Application for a Certificate of Authority)
 to Provide Telecommunications Service in)
 Oregon and Classification as a Competitive)
 Telecommunications Provider.)

ORDER

DISPOSITION: DOCKET CLOSED

On September 26, 2003, Beaver Creek Cooperative Telephone Company (BCT) filed an Application for a Certificate of Authority to Provide Telecommunications Service in Oregon and Classification as a Competitive Telecommunications Provider (Application). Clear Creek Mutual Telephone Company (Clear Creek) protested the Application on October 27, 2003. On March 31, 2004, Clear Creek submitted a letter to Administrative Law Judge Kirkpatrick raising a complaint, in connection with this proceeding, against BCT for unlawful provision of local exchange service in Clear Creek's service territory without a certificate of authority. BCT responded that this proceeding was not the proper forum to address Clear Creek's complaint.

On April 9, 2004, BCT filed a notice of withdrawal of its Application. Subsequently, Clear Creek filed a complaint against BCT and requested that a new docket be opened to investigate the allegations. We grant BCT's request to withdraw its Application without prejudice and close this docket. Clear Creek's complaint shall be addressed in a separate docket.

ORDER

IT IS ORDERED that the request by Beaver Creek Cooperative Telephone Company that its Application for a Certificate of Authority to provide telecommunications service in Oregon and classification as a competitive

telecommunications provider be withdrawn without prejudice is approved, and the docket is closed.

Made, entered, and effective _____.

Lee Beyer
Chairman

John Savage
Commissioner

Ray Baum
Commissioner

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.