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**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

CP 920

In the Matter of)	
)	
TCAST COMMUNICATIONS INC.,)	
)	ORDER
Application for a Certificate of Authority)	
to Provide Telecommunications Service in)	
Oregon and Classification as a Competitive)	
Provider.)	

DISPOSITION: CANCELLATION ORDER RESCINDED

On April 12, 2001, the Commission granted a certificate of authority to TCAST Communications Inc. (TCAST) to provide telecommunications service in Oregon as a competitive provider. *See* Order No. 01-285.

Oregon telecommunications providers are required to provide requested information to the Commission. After investigation, the Commission found that TCAST failed to comply with Oregon Universal Service Fund requirements per ORS 759.425. At the October 15, 2002, public meeting, the Commission determined that TCAST 's certificate of authority should be canceled. TCAST 's certificate of authority was canceled in Order No. 02-747. On November 14, 2002, TCAST filed a request to suspend Order No. 02-747, claiming that it had complied with the Commission's rules and regulations. A review of the Commission's records indicated that TCAST filed the requested information and Order No. 02-832 was entered on November 26, 2002, reinstating TCAST's certificate of authority.

Again, after investigation, the Commission found that TCAST failed to comply with Oregon Universal Service Fund requirements per ORS 759.425. At the July 15, 2003, public meeting, the Commission determined that TCAST's certificate of authority should be canceled. TCAST 's certificate of authority was canceled in Order No. 03-426. On August 6, 2003, TCAST filed a request to suspend Order No. 03-426, claiming that it had complied with the Commission's rules and regulations. A review of the Commission's records indicated that TCAST filed the requested information and Order No. 03-606 was entered on October 9, 2003, reinstating TCAST's certificate of authority.

Once again, after investigation, the Commission found that TCAST failed to comply with Oregon Universal Service Fund requirements per ORS 759.425. At the April 27, 2004, public meeting, the Commission determined that TCAST's certificate of authority should be canceled. TCAST's certificate of authority was canceled in Order No. 04-250. On May 21, 2004, TCAST filed a request to suspend Order No. 04-250, claiming that it had complied with the Commission's rules and regulations. A review of the Commission's records indicates that TCAST filed the requested information on June 4, 2004.

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

The Commission notes that this is the third time that TCAST has sought reinstatement following the cancellation of its authority. Under these circumstances, the Commission *strongly emphasizes* the need for TCAST to fully comply with the Commission's rules and regulations in the future. If TCAST again fails to fulfill its regulatory obligations, the Commission may conclude that it is not in the public interest to process a future application for re-certification as a competitive provider.

ORDER

IT IS ORDERED that Order No. 04-250 canceling the certificate of authority of TCAST Communications Inc. is rescinded.

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.