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BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

CP 906

In the Matter of)	
)	
CITY OF ASHLAND/ASHLAND FIBER)	
NETWORK,)	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DISPOSITION: CANCELLATION ORDER RESCINDED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 the City of Ashland/Ashland Fiber Network (Ashland) to provide telecommunications service in Oregon as a competitive provider. *See* Order No. 01-280. Oregon telecommunications providers are required to pay annual revenue fees to the Commission. After investigation, the Commission found that Ashland failed to pay the late statement penalty fee as required in OAR 860-032-0095(2)(b). On April 19, May 14, and June 15, 2004, the Commission notified the certificate holder that the required fee was not received. At the July 20, 2004, public meeting, the Commission determined that Ashland's certificate of authority should be canceled. Ashland's certificate of authority was canceled in Order No. 04-425.

On September 7, 2004, Ashland filed a request to suspend Order No. 04-425, claiming that it had complied with the Commission's rules and regulations. A review of the Commission's records indicates that Ashland paid the requested fee on August 30, 2004.

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 Under the circumstances, the cancellation of Ashland's certificate should be rescinded.

ORDER

IT IS ORDERED that Order No. 04-425 canceling the certificate of authority of the City of Ashland/Ashland Fiber Network., is rescinded.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.