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BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

CP 827

In the Matter of)
)
 SNIP LINK LLC.)
)
 Application for a Certificate of Authority)
 to Provide Telecommunications Service in)
 Oregon and Classification as a Competitive)
 Provider.)

ORDER

DISPOSITION: CANCELLATION ORDER RESCINDED

On August 7, 2000, the Commission granted a certificate of authority to SNiP Link LLC (SLL) to provide telecommunications service in Oregon as a competitive provider. *See* Order No. 00-430.

Oregon telecommunications providers are required to provide requested information to the Commission. After investigation, the Commission found that SLL failed to comply with Oregon Universal Service Fund requirements per ORS 759.425 and OAR 860-032-0008(2). At the July 10, 2001, public meeting, the Commission determined that SLL's certificate of authority should be canceled. SLL's certificate of authority was canceled in Order No. 01-629. On September 14, 2001, SLL filed a request to suspend Order No. 01-629, claiming that it had complied with the Commission's rules and regulations. A review of the Commission's records indicated that SLL filed the requested information and Order No. 01-829 was entered on September 26, 2001, reinstating SLL's certificate of authority.

Again, after investigation, the Commission found that SLL failed to file the Oregon Universal Service Fund Form 2 for the first quarter of 2004 as required per ORS 759.425, failed to file an annual report for 2003 as required by OAR 860-032-0060(2)(a), and failed to pay a gross revenue late statement penalty for 2003 as required by ORS 756.310. At the July 20, 2004, public meeting, the Commission determined that SLL's certificate of authority should be canceled. SLL's certificate of authority was canceled in Order No. 04-424. On September 30, 2004, SLL filed a request to suspend Order No. 04-424, claiming that it had complied with the Commission's rules and regulations. A review of the Commission's records indicates that SLL filed the requested information on October 6, 2004.

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 Under the circumstances, the cancellation of SLL's certificate should be rescinded.

The Commission notes that this is the second time that SLL has sought reinstatement following the cancellation of its authority. Under these circumstances, the Commission emphasizes the need for SLL to fully comply with the Commission's rules and regulations in the future. If SLL 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. 04-424 canceling the certificate of authority of SNiP Link LLC, 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.