

ORDER NO. 04-748

ENTERED DEC 21 2004

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**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

CP 1090

In the Matter of)
)
BUDGET PHONE INC.)
)
Application for a Certificate of Authority)
to Provide Telecommunications Service)
in Oregon and Classification as a)
Competitive Provider.)

ORDER

DISPOSITION: CANCELLATION ORDER RESCINDED

On October 15, 2002, the Commission granted a certificate of authority to Budget Phone Inc. (Budget) to provide telecommunications service in Oregon as a competitive provider. *See* Order No. 02-704. Oregon telecommunications providers are required to provide requested information to the Commission. On October 27, 2004, Budget's certificate of authority was canceled in Order No. 04-639 because it had failed to comply with Oregon Universal Service Fund requirements per ORS 759.425, specifically non-payment of fees.

On December 6, 2004, Budget filed a request to rescind Order No. 04-639, claiming that it had complied with the Commission's rules and regulations. A review of the Commission's records indicates that Budget paid the fees and was in full compliance.

Five Stars International, Inc., administrator of the Oregon Universal Service Fund data, inadvertently notified the Commission of Budget's delinquency even though, in fact, Budget had paid the fees and was in full compliance.

Under the circumstances, the cancellation of Budget's certificate should be rescinded.

ORDER

IT IS ORDERED that Order No. 04-639 canceling the certificate of authority of Budget Phone, Inc., is rescinded.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.