

**BEFORE THE PUBLIC UTILITY COMMISSION**

**OF OREGON**

CP 985

In the Matter of )  
 )  
 KMC DATA 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**DISPOSITION: CANCELLATION ORDER RESCINDED**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 December 24, 2001, the Commission granted a certificate of authority to KMC Data LLC (KMC) to provide telecommunications service in Oregon as a competitive provider. *See* Order No. 01-1097. Oregon telecommunications providers are required to provide requested information to the Commission. After investigation, the Commission found that KMC failed to file an annual report for the year 2004 as required by OAR 860-032-0060(2)(a). KMC failed to respond to the Commission's original, and second request for the annual report. At the August 2, 2005 public meeting, the Commission determined that KMC's certificate of authority should be canceled. KMC's certificate of authority was canceled in Order No. 05-951.

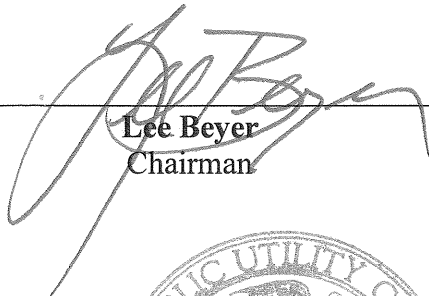
On October 19, 2005, KMC filed a request to suspend Order No. 05-951, claiming that it had complied with the Commission's rules and regulations. A review of the Commission's records indicates that KMC filed the requested information.


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 Under the circumstances, the cancellation of KMC's certificate should be rescinded.

**ORDER**

IT IS ORDERED that Order No. 05-951 canceling the certificate of authority of KMC Data LLC, is rescinded.

Made, entered, and effective NOV 07 2005.

  
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**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.