

BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

CP 1248

In the Matter of)
)
 IP DATA STREAM 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DISPOSITION: CANCELLATION ORDER RESCINDED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 24, 2004, the Commission granted a certificate of authority to IP Data Stream LLC (IP Data) to provide telecommunications service in Oregon as a competitive provider. *See* Order No. 04-485. Oregon telecommunications providers are required to pay annual revenue fees to the Commission. After investigation, the Commission found that IP Data failed to pay the revenue fees for 2004, as required by ORS 756.310. On June 8, 2005, the Commission notified the certificate holder that the required fees were not received. On July 12, 2005, a Fee Assessment Order in docket FA 578, Order No. 05-841, was sent to the company. At the August 2, 2005, public meeting, the Commission determined that IP Data's certificate of authority should be canceled. IP Data's certificate of authority was canceled in Order No. 05-945.

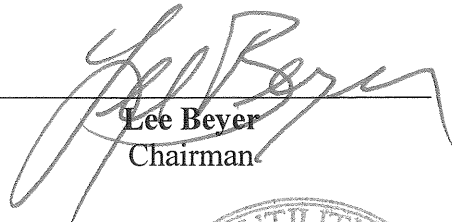
On October 17, 2005, IP Data filed a request to suspend Order No. 05-945, claiming that it had complied with the Commission's rules and regulations. A review of the Commission's records indicates that IP Data paid the requested fees.

The fees sent by IP Data to the Commission were late. However, the fees have been received and indicate IP Data is providing telecommunications service in Oregon. Under the circumstances, the cancellation of IP Data's certificate should be rescinded.

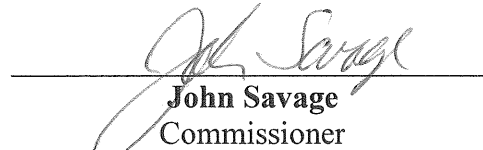
ORDER

IT IS ORDERED that Order No. 05-945 canceling the certificate of authority of IP Data Stream LLC, is rescinded.

Made, entered, and effective NOV 07 2005.



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.