

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

CP 538

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

DISPOSITION: CANCELLATION ORDER RESCINDED

On November 10, 1998, the Commission granted a certificate of authority to PremierCom Inc. to provide telecommunications service in Oregon as a competitive provider. *See* Order No. 98-463. The company later changed its name to OPEX Communications Inc. (OPEX)

Oregon telecommunications providers are required to provide requested information to the Commission. In January and February, 2001, Commission Staff requested information from OPEX. The Commission's records indicated the agency did not receive the requested information. At the April 17, 2001, public meeting, the Commission determined that OPEX's certificate of authority should be canceled. OPEX's certificate of authority was canceled in Order No. 01-386. On May 24, 2001, OPEX filed a request to suspend Order No. 01-386 claiming that it had complied with the Commission's rules and regulations. A review of the Commission's records indicated that OPEX filed the requested information on May 4, 2001. Order No. 01-462 was entered reinstating OPEX's certificate of authority.

Again, after investigation, the Commission found that OPEX failed to file a 2006 annual report as required by OAR 860-032-0060(2)(a). OPEX also failed to file its 4th Quarter 2006 OUS2 form to comply with Oregon Universal Service Fund requirements per ORS 759.425. At the July 10, 2007, public meeting, the Commission determined that OPEX's certificate of authority should be canceled. OPEX's certificate of authority was canceled in Order No. 07-302. On September 17, 2007, OPEX filed a request to suspend Order No. 07-302, claiming that it had complied with the Commission's rules and regulations. A review of the Commission's records indicates that OPEX filed the requested information.

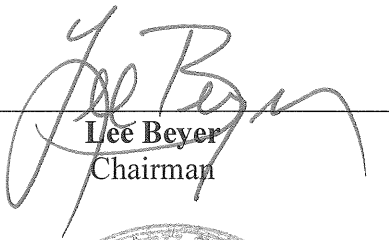
The information sent by OPEX to the Commission was late. However, the information has been received and it indicates OPEX is providing telecommunications service in Oregon. Under the circumstances, the cancellation of OPEX's certificate should be rescinded.

The Commission notes that this is the second time that OPEX has sought reinstatement following the cancellation of its authority. Under these circumstances, the Commission emphasizes the need for OPEX to fully comply with the Commission's rules and regulations in the future. If OPEX 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 recertification as a competitive provider.

ORDER

IT IS ORDERED that Order No. 07-302 canceling the certificate of authority of OPEX Communications Inc., is rescinded.

Made, entered, and effective NOV 29 2007.



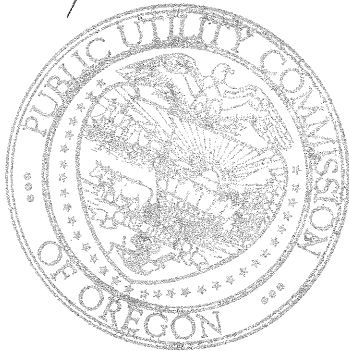
Lee Beyer
Chairman



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 by filing a petition for review with the Court of Appeals in compliance with ORS 183.480-183.484.