

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

CP 885

In the Matter of)	
)	
USA DIGITAL 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DISPOSITION: CANCELLATION ORDER RESCINDED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 December 7, 2000, the Commission granted a certificate of authority to USA Digital Communications Inc., (USA) to provide telecommunications service in Oregon as a competitive provider. *See* Order No. 00-779.

Oregon telecommunications providers are required to provide requested information to the Commission. After investigation, the Commission found that USA failed to comply with Oregon Universal Service Fund requirements per ORS 759.425. At the April 27, 2004, public meeting, the Commission determined that USA's certificate of authority should be canceled. USA's certificate of authority was canceled in Order No. 04-249. On June 21, 2004, USA filed a request to suspend Order No. 04-249, claiming that it had complied with the Commission's rules and regulations. A review of the Commission's records indicates that USA filed the requested information and Order No. 04-405 was entered on July 21, 2004, reinstating USA's certificate of authority.

Again, after investigation, the Commission found that USA failed to file the 2008 Annual Report as required per OAR 860-032-0060(2)(a). At the June 16, 2009, public meeting, the Commission determined that USA's certificate of authority should be canceled. USA's certificate of authority was canceled in Order No. 09-231. On June 25, 2009, USA filed a request to suspend Order No. 09-231, claiming that it had complied with the Commission's rules and regulations. A review of the Commission's records indicates that USA filed the requested information on June 22, 2009.

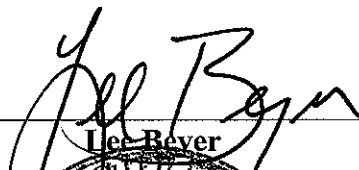
The information sent by USA to the Commission was late. However, the information has been received and it indicates USA is providing telecommunications service in Oregon. Under the circumstances, the cancellation of USA's certificate should be rescinded.

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

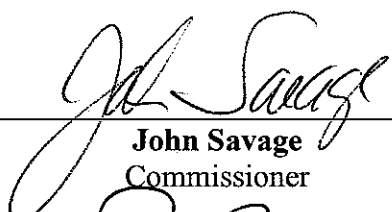
IT IS ORDERED that Order No. 09-231 canceling the certificate of authority of USA Digital Communications Inc., is rescinded.

Made, entered, and effective JUL 23 2009




Lee Bever
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 of 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.