

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

**Communications Division
Licensing, Tariffs, & Cost Support Branch**

RESOLUTION T-17169

R E S O L U T I O N

Resolution T-17169. Request For Reinstatement of Certificate of Public Convenience and Necessity Held by IElement Telephone of California, Inc. (U-6945-C) Due to Administrative Error

Summary

This Executive Director Resolution reinstates the Certificate of Public Convenience and Necessity (CPCN) held by IElement Telephone of California, Inc. (U-6945-C). It was removed through an administrative error.

Background

IElement Telephone of California, Inc. was originally licensed to provide limited facilities based and resold local exchange and interexchange service by D.06-09-030. According to earlier records, the company did not file the User Fee report in a timely manner and Resolution T-17139 revoked operating authority to several carriers including IElement Telephone of California, Inc. for failure to file the User Fee. It has come to our attention that the company did file the User Fee report on May 28, 2008, one day before Resolution T-17139 became effective.

Discussion

The Communications Division recommends that the CPCN be reinstated. Although the User Fee report was not sent to the Commission in a timely manner, it was subsequently filed. Revocation is, therefore, not appropriate.

Findings

1. IElement Telephone of California, Inc. was granted a Certificate of Public Convenience and Necessity to Provide Facilities-Based and Resale Local Exchange Services in Pacific Bell, Verizon, Citizens Telephone Company and SureWest Telephone Company and Interexchange Services Statewide in D.06-09-030, dated September 21, 2006.
2. Resolution T-17139 revoked the company's operating authority for failure to file the User Fee report in a timely manner.
3. The company filed its User Fee a day before Resolution T-17139 became effective.
4. The Certificate of Public Convenience and Necessity was revoked by administrative error.
5. The Certificate of Public Convenience and Necessity should be reinstated.

THEREFORE, IT IS ORDERED that:

1. IElement Telephone of California, Inc. Certificate of Public Convenience and Necessity is reinstated.
2. Utility Identification Number U-6945-C is reissued to the company.

This Resolution is effective today.

I hereby certify that this Resolution was adopted by Executive Director Resolution on

August 13, 2008.

/s/ Paul Clanon

PAUL CLANON

Resolution T-17169
CD/caf

Executive Director