

**PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

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

**RESOLUTION T-17178**

**R E S O L U T I O N**

**Resolution T-17178. Request For Reinstatement of Certificate  
of Public Convenience and Necessity Held by Fiber Data  
Systems Inc., (U-5166-C) Due to Administrative Error**

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**Summary**

This Executive Director Resolution reinstates the Certificate of Public Convenience and Necessity (CPCN) held by Fiber Data Systems Inc. (U-5166-C). It was removed through an administrative error.

**Background**

Fiber Data Systems Inc. was originally licensed to provide resold interexchange service by D.88-12-029. According to earlier records, the company did not file the User Fee report in a timely manner and Resolution T-17168 revoked operating authority to eight (8) carriers including Fiber Data Systems Inc. for failure to file the User Fee. It has come to our attention that the company did file the User Fee report on September 17, 2008 one day before Resolution T-17168 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. Fiber Data Systems Inc. was granted a Certificate of Public Convenience and Necessity in D.88-12-029, dated December 9, 1988.
2. Resolution T-17168 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 one day before Resolution T-17168 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 The Certificate of Public Convenience and Necessity was revoked by administrative error.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. Fiber Data Systems Inc. Certificate of Public Convenience and Necessity is reinstated.
2. Utility Identification Number U-5166-C is reissued to the company.

This Resolution is effective today.

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

\_\_\_\_\_ October 1, 2008 \_\_\_\_\_.

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/s/ Paul Clanon  
PAUL CLANON  
Executive Director

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