

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Campus Communications Group, Inc. for a Certificate of Public Convenience and Necessity to provide: (i) full facilities-based and resold competitive local exchange service throughout the service territories of Pacific Bell Telephone Company, Verizon California, Inc., Sure West Telephone, and Citizens Telecommunications Company of California, Inc.

Application 14-06-023
(Filed June 12, 2014)

DECISION GRANTING MOTION TO WITHDRAW THE APPLICATION WITHOUT PREJUDICE AND GRANTING THE MOTION FOR LEAVE TO FILE CONFIDENTIAL MATERIAL UNDER SEAL**Summary**

This decision grants Campus Communication Group, Inc.'s Motion to Withdraw its application to obtain a certificate of public convenience and necessity. The decision also grants Campus Communication Group, Inc.'s Motion for Leave to File Confidential Information Under Seal, requesting the Commission to treat financial records as confidential information.¹

¹ See Motion for Leave to File Confidential Information Under Seal filed on June 12, 2014. Confidential Information pertains to Exhibit F of the application containing financial information.

1. Background

On June 12, 2014, Campus Communications Group, Inc. (Applicant) filed Application (A.) 14-06-023 for authorization to obtain a Certificate of Public Convenience and Necessity (CPCN) to provide full facilities-based and resold competitive local exchange service throughout the service territories of Pacific Bell Telephone Company, Verizon California, Inc., Sure West Telephone, and Citizens Telecommunications Company of California, Inc.

A ruling requesting additional information was issued on September 26, 2014 directing Applicant to submit evidence that it meets the financial requirement necessary to provide full facilities-based and resold competitive local exchange service.²

On October 13, 2014, Applicant filed a response to the September 26, 2014 ruling and included a guarantee of performance from its parent company, Pavlov Media, Inc.

A second ruling requesting information was issued on November 26, 2014 directing Applicant to submit evidence that the guarantor has enough resources to meet the financial requirement to provide full facilities-based and resold competitive local exchange service in order to be able to guaranty the Applicant's costs and start-up expenses.

On December 17, 2014, Applicant filed a Motion to Withdraw its Application. Applicant explained that upon review, its current business plan does not contemplate providing local exchange service in California in the

² The financial requirement for Competitive Local Exchange Carriers is contained in Decision (D.) 95-12-056, Appendix C. The financial requirement for Non-Dominant Interexchange Carriers is contained in D.91-10-041.

foreseeable future and has decided to withdraw the application and file again when it anticipates entering the California telecommunications market.

2. Jurisdiction

Public Utilities Code Section 216(a) defines the term “public utility” to include a “telephone corporation,” which in turn is defined in Public Utilities Code Section 234(a) as “every corporation or person owning, controlling, operating, or managing any telephone line for compensation within this state.”

Applicant proposed to provide a fiber-optic based network which may be utilized for transmission of voice and data communications. Applicant intended to operate as a telephone corporation and a public utility and is subject to our jurisdiction.

3. Conclusion

Applicant provided a legitimate reason for seeking to withdraw the application and no protests to the application have been received. The Commission finds no apparent reason why the motion to withdraw the application should not be granted and therefore grants the motion to withdraw without prejudice to refiling at a later date.

4. Request to File Under Seal

Pursuant to Rule 11.4 of the Commission’s Rules of Practice and Procedure, Applicant filed a Motion for Leave to File Under Seal Exhibit F of the application. Exhibit F contains the Applicant’s unaudited financial statements and the unaudited financial statements of its parent company, Pavlov Media, Inc.

The Commission grants the request to file under seal Exhibit F of the application. The financial information in Exhibit F contains private and proprietary information and public disclosure thereof could place Applicant and

its parent company at an unfair business disadvantage. The Commission has granted similar requests in the past and does so here.

5. Comments on Proposed Decision

This is an uncontested matter in which the decision grants the motion to withdraw the application. Accordingly, pursuant to Section 311(g)(2) of the Public Utilities Code and Rule 14.6(c)(2), the otherwise applicable 30-day period for public review and comment is waived.

6. Categorization and Need for Hearing

In Resolution ALJ 176-3340 dated August 14, 2014, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. No protests have been filed. Therefore, a public hearing is not necessary, and it is not necessary to disturb the preliminary determinations.

7. Assignment of Proceeding

Carla J. Peterman is the assigned Commissioner and Rafael L. Lirag is the assigned Administrative Law Judge in this proceeding.

Findings of Fact

1. Notice of the application appeared on the Daily Calendar on July 16, 2014. No protests have been filed. A hearing is not required.
2. Applicant filed a Motion for Leave to File Confidential Material Under Seal On June 12, 2014, seeking confidential treatment of Exhibit F of the application, pursuant to Rule 11.4 of the Rules of Practice and Procedure.
3. On December 16, 2014, Applicant filed a Motion to Withdraw its application after determining that it does not contemplate to provide telecommunications service in California within the foreseeable future.

Conclusions of Law

1. Applicant's Motion to Withdraw the application should be granted, without prejudice to refile at a later date.
2. A.14-06-023 should be closed.
3. Applicant's Motion to file Exhibit F of its application under seal has stated good cause and should be granted for a period of three years.

O R D E R

IT IS ORDERED that:

1. Campus Communications Group, Inc.'s Motion to Withdraw Application 14-06-023 is granted.
2. Campus Communications Group, Inc.'s Motion for Leave to File Confidential Information Under Seal is granted. Exhibit F of Application 14-06-023 shall remain under seal for three years and shall not be made accessible or disclosed to anyone other than the Commission and its staff except on the further order or ruling of the Commission, the assigned Commissioner, the assigned Administrative Law Judge (ALJ), the Assistant Chief ALJ, the Chief ALJ, or the ALJ then designated as Law and Motion Judge.
3. If Campus Communications Group, Inc. believes it is necessary to keep the data in Exhibit F under seal for an additional period, Campus Communications Group, Inc. shall file a new motion to file confidential information under seal at least 30 days before the expiration of this grant of confidentiality.
4. Application 14-06-023 is withdrawn.
5. If Campus Communications Group, Inc. files a subsequent application, it must reference this application.

6. Application 14-06-023 is closed.

This order is effective today.

Dated _____, at San Francisco, California.