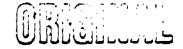
# Decision 89 06 044 JUN 21 1989



BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Investigation and Suspension on the Commission's own motion of tariffs authorizing the resale of cellular radio telecommunications service in the San Francisco - San Jose area by California Intelecom Corporation II under Advice Letter No. 4.

(I&S) Case 85-05-048 (Filed May 15, 1985)

## **OPINION**

By this order, we revoke the operating authority of California Intelecom Corporation II (Intelecom).

On May 15, 1985, we issued Decision (D.) 85-05-048, suspending Intelecom's certificate of public convenience and necessity (CPC&N) and initiated an investigation of Intelecom's financial fitness. In D.86-03-015, we continued the suspension pending the outcome of Intelecom's petition for relief filed under the Bankruptcy Code in the United States Bankruptcy Court for the District of Colorado.

Since the issuance of D.86-03-015, no action has been taken in this proceeding. Accordingly, the assigned administrative law judge (ALJ) issued, on April 14, 1989, a ruling seeking an indication from Intelecom regarding whether it wished to pursue a reinstatement of its California operating authority. The ALJ ruling stated that if Intelecom did not file information regarding its financial status by May 15, 1989, she would assume that Intelecom's operating authority should be revoked and that this proceeding should be terminated.

We have received no response from Intelecom or any other party regarding Intelecom's financial status or its desire to pursue reinstatement of its operating authority. Accordingly, we must assume that Intelecom is either no longer in business or does not wish to operate as a radiotelephone utility in this state. By this order, we will revoke Intelecom's operating authority and close this proceeding.

# Findings of Fact

- 1. Intelecom's California operating authority was suspended, and an investigation was initiated into Intelecom's financial fitness, in D.85-05-048.
- 2. The assigned ALJ issued, on April 14, 1989, a ruling in this proceeding requesting response from Intelecom regarding its financial status and whether it would seek to reinstate its operating authority.
- 3. Intelecom has not responded to the ALJ ruling. Conclusions of Law

The Commission should revoke the Intelecom's operating authority.

## ORDER

#### IT IS ORDERED that:

1. The operating authority of California Intelecom Corporation II is revoked and this proceeding is closed.

2. The Director of the Commission Advisory and Compliance Division shall mark the tariffs filed by California Intelecom Corporation II as cancelled by this order.

This order is effective today.

Dated JUN 21 1989, at San Francisco, California.

G. MITCHELL WILK
President
FREDERICK R. DUDA
STANLEY W. HULETT
JOHN: B. OHANIAN
PATRICIA M. ECKERT
Commissioners

CERTIFY THAT THIS DECISION WAS APPROVED BY THE ABOVE COMMISSIONERS TODAY.

Victor Weisser, Executive Director

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