

Decision 89 06 044 JUN 21 1989

ORIGINAL

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 Intelcom 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 Intelcom Corporation II (Intelcom).

On May 15, 1985, we issued Decision (D.) 85-05-048, suspending Intelcom's certificate of public convenience and necessity (CPC&N) and initiated an investigation of Intelcom's financial fitness. In D.86-03-015, we continued the suspension pending the outcome of Intelcom'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 Intelcom regarding whether it wished to pursue a reinstatement of its California operating authority. The ALJ ruling stated that if Intelcom did not file information regarding its financial status by May 15, 1989, she would assume that Intelcom's operating authority should be revoked and that this proceeding should be terminated.

We have received no response from Intelcom or any other party regarding Intelcom's financial status or its desire to pursue reinstatement of its operating authority. Accordingly, we

must assume that Intelcom 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 Intelcom's operating authority and close this proceeding.

Findings of Fact

1. Intelcom's California operating authority was suspended, and an investigation was initiated into Intelcom'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 Intelcom regarding its financial status and whether it would seek to reinstate its operating authority.
3. Intelcom has not responded to the ALJ ruling.

Conclusions of Law

The Commission should revoke the Intelcom's operating authority.

ORDER

IT IS ORDERED that:

1. The operating authority of California Intelcom 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, 1989, at San Francisco, California.

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

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

Victor Weiss
Victor Weiss, Executive Director
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