

SEP 8 1995

Decision 95-09-033 September 7, 1995

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of)
 A & N Telecom, Inc., a California)
 corporation, for an Application)
 Certificate of Public Convenience)
 and Necessity to Provide InterLATA)
 and IntraLATA Telecommunications)
 Services in California as a)
 Switchless Reseller.)

Application 95-02-025
(Filed February 14, 1995)

ORIGINAL

OPINION ON PETITION FOR MODIFICATION
OF DECISION 95-05-040

Petitioner A & N Telecom, Inc., (petitioner or A&N) petitions the Commission for modification of Decision (D.) 95-05-040 to change the limited authority granted herein to statewide operating authority. That decision granted A&N a certificate of public convenience and necessity to operate as a switchless reseller of interLATA and intraLATA telecommunications services, but limited A&N's initial authority to operations within the 213, 310, 619, 714, 818, and 909 area codes in Southern California, based upon the extent to which it had served the application upon potential competitors. In this decision we modify D.95-05-040 to afford A&N statewide authority to operate as a switchless reseller.

Ordering Paragraph (O.P.) 3 of D.95-05-040 states:

"Applicant shall, within 7 days of the effective date of this order, petition for modification of this order to grant statewide authority. The petition shall contain an explanation of the reason why petitioner seeks such additional authority, and shall be served upon all potential competitors statewide, whether or not such persons were served with a copy of the application. The authority granted herein shall expire immediately if said petition is not timely filed and served."

A&N filed its petition for modification of the order within the specified time, and served it upon all potential competitors statewide. No protest or other response has been filed.

The petitioner's fitness to provide the services for which it requests authority was adequately established in D.95-05-040. We therefore grant the petition and authorize A&N to provide its services statewide.

Findings of Fact

1. A&N is currently authorized to operate as a switchless reseller of interLATA and intraLATA telecommunications services, limited to the 213, 310, 619, 714, 818, and 909 area codes, pursuant to D.95-05-040.

2. A&N, pursuant to O.P. 3 of D.95-05-040, has filed a petition for modification of the order to grant A&N statewide authority to provide its services.

3. The petition for modification was duly served upon all competitors statewide.

4. The petition for modification contains an explanation of why A&N seeks additional authority to provide statewide service.

5. No protest or other response to the petition has been filed.

6. A&N's fitness to provide the services was established in D.95-05-040.

Conclusion of Law

D.95-05-040 should be modified to permit A&N to offer its services statewide.

ORDER

IT IS ORDERED that Ordering Paragraph 1 of Decision 95-05-040 is modified so that it reads as follows:

- "1. A certificate of public convenience and necessity is granted to A & N Telecom, Inc.

(applicant) to operate statewide as a reseller of the InterLocal Access and Transport Area (LATA) and, to the extent authorized by Decision (D.) 94-09-065, intraLATA telecommunications services offered by communication common carriers in California."

This proceeding is closed.

This order is effective today.

Dated September 7, 1995, at Los Angeles, California.

DANIEL Wm. FESSLER
President
P. GREGORY CONLON
JESSIE J. KNIGHT, JR.
HENRY M. DUQUE
Commissioners

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

Weeley Franklin
Acting Executive Director