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**ORIGINAL**

Decision \_\_\_\_\_

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
America's Choice Communications, Inc.)  
For a Certificate of Public )  
Convenience and Necessity to provide )  
InterLATA and IntraLATA )  
Telecommunications Services within )  
the State of California. )

Application 96-09-055 )  
(Filed September 30, 1996; )  
Supplemented January 13, )  
and February 24, 1997)

O P I N I O N

America's Choice Communications, Inc. (applicant), a Connecticut corporation qualified to do business in California, has pending before the Commission a request for a certificate of public convenience and necessity (CPCN) under Public Utilities (PU) Code § 1001. On April 7, 1997, applicant filed a motion to dismiss the application without prejudice. Applicant states that, due to a change in its business plan, it no longer has plans at this time to offer services in California. Because it has no customers and has made no commitments to prospective customers in California, applicant alleges no adverse effects will result from the dismissal.

O R D E R

IT IS ORDERED that, upon written and unopposed request of the applicant, America's Choice Communications, Inc., Application 96-09-055 is dismissed under Public Utilities Code § 308 and Resolution A-4638, effective today.

Dated     MAY 14 1997    , at San Francisco, California.

*Wesley M. Franklin*  
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WESLEY M. FRANKLIN  
Executive Director