

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, JUNE 27, 2016

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2016 JUN 27 A 10:19

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APPLICATION OF

MOBILITIE MANAGEMENT, LLC

CASE NO. PUC-2016-00027

For a certificate of public convenience
and necessity to provide local exchange
telecommunications services in the
Commonwealth of Virginia

ORDER FOR NOTICE AND COMMENT

On June 13, 2016, Mobilitie Management, LLC ("Mobilitie" or "Company"), completed an application with the State Corporation Commission ("Commission") for a certificate of public convenience and necessity to provide local exchange telecommunications services throughout the Commonwealth of Virginia ("Application").

NOW THE COMMISSION, upon consideration of the Application, is of the opinion and finds that it should docket the Company's Application; that Mobilitie should give notice to the public of its Application; that interested persons should have an opportunity to comment and request a hearing on Mobilitie's Application; and that the Commission's Staff ("Staff") should conduct an investigation into the reasonableness of the Application and present its findings in a report ("Staff Report").

Accordingly, IT IS ORDERED THAT:

- (1) This case is docketed and assigned Case No. PUC-2016-00027.
- (2) On or before July 26, 2016, Mobilitie shall complete publication of the following notice to be published on one occasion, as classified advertising, in newspapers having general circulation throughout its proposed service territory:

NOTICE TO THE PUBLIC OF AN APPLICATION BY
MOBILITIE MANAGEMENT, LLC, FOR A CERTIFICATE OF
PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE
LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES
IN THE COMMONWEALTH OF VIRGINIA
CASE NO. PUC-2016-00027

On June 13, 2016, Mobilitie Management, LLC ("Mobilitie" or "Company"), filed an application with the State Corporation Commission ("Commission") for a certificate of public convenience and necessity to provide local exchange telecommunications services throughout the Commonwealth of Virginia ("Application").

Copies of the Application are available for public inspection between the hours of 8:15 a.m. and 5 p.m., Monday through Friday, excluding holidays, in the Commission's Document Control Center located on the first floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219. Copies of the Application also may be downloaded from the Commission's website: <http://www.scc.virginia.gov/case> or may be ordered from Mobilitie's counsel, Keenan P. Adamchak, Esquire, Marshlian & Donahue, PLLC, 1420 Spring Hill Road, Suite 401, McLean, Virginia 22102.

On or before August 16, 2016, any person desiring to comment on Mobilitie's Application may do so by directing such comments in writing to the Clerk of the Commission at the address set forth below. Interested persons desiring to submit comments electronically may do so by following the instructions found on the Commission's website: <http://www.scc.virginia.gov/case>. A hard copy of the comments, whether submitted in writing or electronically, shall be served on Mobilitie's counsel at the address set forth above.

On or before August 16, 2016, any person may request a hearing on Mobilitie's Application. If not filed electronically, an original and fifteen (15) copies of the request for hearing shall be submitted to the Clerk of the Commission at the address set forth below. Requests shall include: (i) a precise statement of the interest of the filing party; (ii) a statement of the specific action sought to the extent then known; (iii) a statement of the legal basis for such action; and (iv) a precise statement why a hearing should be conducted in the matter. Persons filing a request for hearing shall serve a copy of the request upon Mobilitie's counsel at the address set forth above, on or before August 16, 2016.

All written communications to the Commission concerning Mobilitie's Application should be directed to Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218, and shall refer to Case No. PUC-2016-00027.

MOBILITIE MANAGEMENT, LLC

(3) On or before July 26, 2016, Mobilitie shall provide a copy of the notice contained in Ordering Paragraph (2) to each local exchange carrier certificated in Virginia by personal delivery or first class mail, postage prepaid, to the customary place of business. A list of all current local exchange carriers in Virginia is attached to this Order as Appendix A.

(4) Any person desiring to comment on Mobilitie's Application may do so by directing such comments in writing, on or before August 16, 2016, to Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218. Interested persons desiring to submit comments electronically may do so by following the instructions on the Commission's website: <http://www.scc.virginia.gov/case>. A hard copy of such comments, whether submitted in writing or electronically, shall be served on Mobilitie's counsel, Keenan P. Adamchak, Esquire, Marshlian & Donahue, PLLC, 1420 Spring Hill Road, Suite 401, McLean, Virginia 22102.

(5) On or before August 16, 2016, any person may request a hearing on Mobilitie's Application. If not filed electronically, an original and fifteen (15) copies of the request for hearing shall be submitted to the Clerk of the Commission at the address set forth in Ordering Paragraph (4). Written requests for hearing shall refer to Case No. PUC-2016-00027 and shall include: (i) a precise statement of the interest of the filing party; (ii) a statement of the specific action sought to the extent then known; (iii) a statement of the legal basis for such action; and

(iv) a precise statement why a hearing should be conducted in the matter. A copy also shall be served on Mobilitie at the address set forth in Ordering Paragraph (4).

(6) On or before August 23, 2016, Mobilitie shall file with the Commission proof of notice and proof of service as ordered herein.

(7) The Staff shall analyze the reasonableness of Mobilitie's Application and present its findings in a Staff Report to be filed on or before September 13, 2016.

(8) On or before September 20, 2016, Mobilitie may file responses to the Staff Report or to any comments or requests for hearing filed with the Commission. If not filed electronically, an original and fifteen (15) copies of any responses shall be submitted to the Clerk of the Commission at the address set forth in Ordering Paragraph (4). A copy of the response shall be delivered by overnight delivery to the Commission's Staff and Office of General Counsel and to any other persons who filed comments or requests for hearing.

(9) Mobilitie shall respond to written interrogatories or data requests within seven (7) calendar days after the receipt of the same. Persons who filed requests for hearing shall provide to the Company, the Staff, and any other persons who filed requests for hearing, promptly upon request, any work papers or documents used in preparation of their requests for hearing. Except as so modified, discovery shall be in accordance with Part IV of the Commission's Rules of Practice and Procedure, 5 VAC 5-20-240 *et seq.*

(10) The Company shall respond promptly to requests from interested persons for copies of the Application and shall provide one copy free of charge. Copies also are available for public inspection between the hours of 8:15 a.m. and 5 p.m., Monday through Friday, excluding holidays, in the Commission's Document Control Center located on the first floor of the Tyler

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Building, 1300 East Main Street, Richmond, Virginia 23219. Copies of the Application also may be downloaded from the Commission's website: <http://www.scc.virginia.gov/case>.

(11) In accordance with 20 VAC 5-417-20 G 1 b of the Commission's Rules Governing the Certification and Regulation of Competitive Local Exchange Carriers, Mobilite shall provide a performance or surety bond in the amount of \$50,000 in a form to be prescribed by the Staff. This bond shall be provided to the Commission's Division of Communications within thirty (30) days of the date of this Order.

(12) This matter is continued.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to: Keenan P. Adamchak, Esquire, Marashlian & Donahue, PLLC, 1420 Spring Hill Road, Suite 401, McLean, Virginia 22102; and C. Meade Browder, Jr., Senior Assistant Attorney General, Division of Consumer Counsel, Office of the Attorney General, 202 North Ninth Street, Richmond, Virginia 23219. A copy also shall be delivered to the Commission's Office of General Counsel and Divisions of Communications and Public Service Taxation.

APPENDIX A



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Bankruptcy protection 3-2013

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