

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION
AT RICHMOND, AUGUST 11, 2016

SCC-CLERK'S OFFICE
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2016 AUG 11 A 10:16

160820020

APPLICATION OF

METRODUCT SYSTEMS VA LLC

CASE NO. PUC-2016-00044

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 July 27, 2016, MetroDuct Systems VA LLC ("MetroDuct" 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").

NOW THE COMMISSION, upon consideration of the Application, is of the opinion and finds that it should docket the Company's Application; that MetroDuct should give notice to the public of its Application; that interested persons should have an opportunity to comment and request a hearing on MetroDuct'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-2016-00044.

(2) On or before September 6, 2016, MetroDuct 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
METRODUCT SYSTEMS VA LLC, FOR A CERTIFICATE OF
PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE
LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES
IN THE COMMONWEALTH OF VIRGINIA
CASE NO. PUC-2016-00044

On July 27, 2016, MetroDuct Systems VA LLC ("MetroDuct") 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 MetroDuct's counsel, John K. Bynum, Jr., Esquire, Woods Rogers PLC, Riverfront Plaza, West Tower, 901 East Byrd Street, Suite 1550, Richmond, Virginia 23219.

On or before September 20, 2016, any person desiring to comment on MetroDuct'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 MetroDuct's counsel at the address set forth above.

On or before September 20, 2016, any person may request a hearing on MetroDuct'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 MetroDuct's counsel at the address set forth above, on or before September 20, 2016.

All written communications to the Commission concerning MetroDuct'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-2016-00044.

METRODUCT SYSTEMS VA LLC

(3) On or before September 6, 2016, MetroDuct shall provide a copy of the notice contained in Ordering Paragraph (2) to each local exchange carrier certificated in Virginia and each interexchange carrier certificated in Virginia by personal delivery or first class mail, postage prepaid, to the customary place of business. Lists of all current local exchange and interexchange carriers in Virginia are attached to this Order as Appendices A and B, respectively.

(4) Any person desiring to comment on MetroDuct's Application may do so by directing such comments in writing, on or before September 20, 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 MetroDuct's counsel, John K. Bynum, Jr., Esquire, Woods Rogers PLC, Riverfront Plaza, West Tower, 901 East Byrd Street, Suite 1550, Richmond, Virginia 23219.

(5) On or before September 20, 2016, any person may request a hearing on MetroDuct'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-2016-00044 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 MetroDuct at the address set forth in Ordering Paragraph (4).

(6) On or before October 4, 2016, MetroDuct shall file with the Commission proof of notice and proof of service as ordered herein.

(7) The Staff shall analyze the reasonableness of MetroDuct's Application and present its findings in a Staff Report to be filed on or before October 18, 2016.

(8) On or before October 25, 2016, MetroDuct 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) MetroDuct 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

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, MetroDuct 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: John K. Bynum, Jr., Esquire, Woods Rogers PLC, Riverfront Plaza, West Tower, 901 East Byrd Street, Suite 1550, Richmond, Virginia 23219; 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

160820020

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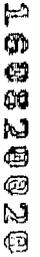
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APPENDIX B

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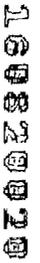
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