

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

**July 23, 2002**

**Nashville, Tennessee**

**In Re: Arbros Communications Licensing Co. S.E., LLC**  
**for Cancellation of Certificate of Public Convenience and Necessity To Provide Telecommunications Services In Tennessee** ) **Docket No. 00-00274**  
 ) **Co. ID: 128553**

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**ORDER GRANTING CANCELLATION OF CERTIFICATE OF PUBLIC  
CONVENIENCE AND NECESSITY  
TO PROVIDE TELECOMMUNICATIONS SERVICES**

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This matter is before the Tennessee Regulatory Authority upon the request of Arbros Communications Licensing Company S.E., LLC to cancel their authority to provide Competing Telecommunications Services in the State of Tennessee. This matter was considered by the Authority at a regularly scheduled Authority Conference held on July 23, 2002.

WHEREFORE, having considered the request of **Arbros Communications Licensing Company, S.E., LLC** to cancel their authority as a Competing Telecommunications Provider, the Authority finds that such a cancellation should be granted.

**IT IS THEREFORE ORDERED:**

- 1) That the request of Arbros Communications Licensing Company S.E., LLC to cancel their authority to provide Competing Telecommunications Services in the State of Tennessee, Docket No. 00-00274, is hereby granted; and,
- 2) That this docket is herewith closed.

  
Chairman Sara Kyle

  
Director Deborah Taylor Tate

  
Director Pat Miller

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**  
**Nashville, Tennessee**  
**March 28, 2002**

IN RE: )  
Arbros Communications Licensing Company, S.E., LLC)  
For Revocation of Authority to Conduct Business )Docket No. 00-00274  
as a Public Utility in the State of Tennessee )Company ID:128553

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**ORDER REVOKING AUTHORITY TO CONDUCT  
BUSINESS AS A PUBLIC UTILITY IN THE STATE OF TENNESSEE  
FOR FAILURE TO PROVIDE SURETY BOND OR IRREVOCABLE LETTER OF  
CREDIT**

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This matter came before the Tennessee Regulatory Authority (hereafter the "Authority" or "TRA") to consider the revocation of the authority of Arbros Communications Licensing Company, S.E., LLC (hereafter the "Company") to conduct business in the state of Tennessee as a public utility for failure to comply with Tenn. Code Ann. § 65-4-125. This matter was considered by the Authority at a regularly scheduled Authority Conference held on March 26, 2002.

Tenn. Code Ann. § 65-4-125(j) provides:

(j) By September 1, 2000, all telecommunications service providers subject to the control and jurisdiction of the authority, except those owners or operators of public telephone service who pay annual inspection and supervision fees pursuant to § 65-4-301(b), or any telecommunications service provider that owns and operates equipment facilities in Tennessee with a value of more than five million dollars (\$5,000,000), shall file with the authority a corporate surety bond or irrevocable letter of credit in the amount of twenty thousand dollars (\$20,000) to secure the payment of any monetary sanction imposed in any enforcement proceeding, brought under this title or the Consumer Telemarketing Protection Act of 1990, compiled in title 47, chapter 18, part 15, by or on behalf of the authority.

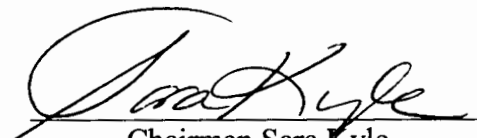
The Company has failed to comply with Tenn. Code Ann. § 65-4-125(j) that requires all telecommunications service providers that own and operate equipment facilities in Tennessee with a value of less than five million dollars (\$5,000,000) to file with the Authority a \$20,000 corporate surety bond or irrevocable letter of credit to secure the payment of any monetary sanction imposed in any enforcement proceeding. Notices advising each company of this

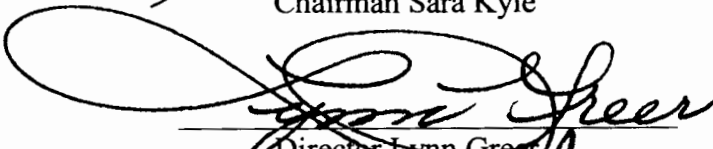
requirement were mailed on August 15, 2000 via first class mail. On July 17, 2001, via certified mail, Notice of Non-compliance was mailed to all companies that were out of compliance. The Company did not respond to these notices.

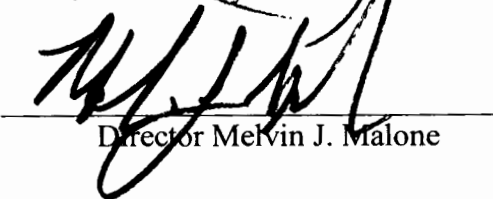
On February 11, 2002, a Notice of Cancellation (hereafter the "Notice") was sent, certified, return receipt requested, to the Company. The Notice advised the Company that if the Authority did not receive a response from the Company by March 13, 2002, regarding its failure to file with the Authority the required \$20,000 corporate surety bond or irrevocable letter of credit; its authority to transact business in the state of Tennessee as a public utility would be subject to cancellation at a regularly scheduled Authority Conference thereafter. The Company did not respond to this Notice.

**IT IS THEREFORE ORDERED THAT:**

- 1) The authority of Arbros Communications Licensing Company, S.E., LLC, granted in Docket No. 00-00274, to conduct business in the state of Tennessee as a public utility is hereby revoked,
- 2) Any party aggrieved by the Authority's decision in this matter may file a Petition for Reconsideration with the Authority within fifteen (15) days from the date of this Order; and
- 3) Any party aggrieved with the Authority's decision in this matter has the right of judicial review by filing a Petition for Review in the Tennessee Court of Appeals, Middle Section, within sixty (60) days from and after the date of this Order.

  
Chairman Sara Kyle

  
Director Lynn Greer

  
Director Melvin J. Malone

ATTEST:

  
K. David Waddell, Executive Secretary

**STAMP-IN**

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554

**RECEIVED**

**MAR - 7 2002**

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

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In the Matter of )  
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)

**ARBROS Communications, Inc. and its  
Subsidiaries** )  
)  
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File No. \_\_\_\_\_

Application for Authority to Discontinue )  
the Provision of Domestic )  
Telecommunications Service )  
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**SUPPLEMENT TO APPLICATION**  
**FOR AUTHORITY TO DISCONTINUE SERVICE**

ARBROS Communications, Inc. and its subsidiaries<sup>1</sup> (together "ARBROS") hereby supplement their March 1, 2002 application for authority pursuant to Section 214(a) of the Communications Act of 1934, as amended (the "Act"), 47 U.S.C. § 214(a), and Section 63.71 of the Commission's Rules, 47 C.F.R. § 63.71, to discontinue the provision of domestic resold telecommunications services (the "Application").

Specifically, ARBROS submits as Exhibit A hereto the attached revised notice to its resold service customers advising them of ARBROS's planned discontinuance and of ARBROS's application to the Commission for authority to discontinue service. The revised notice is being sent to ARBROS's remaining customers of domestic resold telecommunications

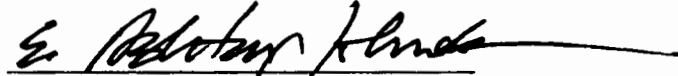
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<sup>1</sup> ARBROS Communications Licensing Company, S.E., LLC, and ARBROS Communications Licensing Company, N.E., LLC.

services; a copy of this Supplement is being sent to the Public Utility Commissions and governors of the states listed in the Application, and to United States Secretary of Defense.

Respectfully submitted,

ARBROS COMMUNICATIONS, INC.

By:



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Its Attorney

March 7, 2002