BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NOS. 2002-252-C and 2008-215-C - ORDER NO. 2008-585

AUGUST 21, 2008

IN RE: Docket No. 2002-252-C – Application of Cypress Communications Operating Company, Inc. for a Certificate of Public Convenience and Necessity to Operate as a Reseller of Interexchange Telecommunications Services within the State of South Carolina	)	ORDER CANCELLING CERTIFICATE AND TARIFF AND DISMISSING AS MOOT ORS' PETITION RELATIVE TO DOCKET NO. 2002-252-C
and	)	
Docket No. 2008-215-C – Petition of the Office of Regulatory Staff for Commission to Order a Rule to Show Cause as to Why the Certificates of Public Convenience and Necessity for Certain Providers of Telecommunications Services Should Not Be Revoked for Failure to File Annual Reports	)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the request of Cypress Communications Operating Company, Inc. (Cypress or the Company) for cancellation of the Company's Certificate of Public Convenience and Necessity and on the Petition of the Office of Regulatory Staff (ORS) for a Rule to Show Cause against certain telecommunications services providers. The record reveals that a Certificate of Public Convenience and Necessity to provide telecommunications in South Carolina was granted to Cypress pursuant to Commission Order No. 2003-145, dated March 17, 2003, in Docket No. 2002-252-C.

On May 21, 2008, ORS filed a petition seeking revocation of the Certificates of Public Convenience and Necessity of certain providers of telecommunications services for failure of the certificated carriers to file annual reports as required by 26 S.C. Code Ann. Regs. 103-612.1 (Supp. 2007). The record reflects that Cypress was listed in ORS' petition as a certificated carrier in non-compliance with the requirement to file annual reports.

Subsequently, on July 28, 2008, Cypress filed a request with the Commission seeking cancellation of the Company's Certificate and tariff. According to Cypress, the Company has had no customers in the state since 2007, and the Company does not foresee a return to the provision of intrastate telecommunications services in South Carolina.

Upon review of the matters asserted in the present requests, the Commission is of the opinion, and so finds, that the relief requested by Cypress should be granted and the petition of ORS should be dismissed as moot. If applicable, however, Cypress remains responsible for any assessments due.

IT IS THEREFORE ORDERED:

1. That the Certificate of Public Convenience and Necessity to provide telecommunications services in South Carolina of Cypress Communications Operating Company, Inc. is hereby cancelled.

2. That the Petition of the Office of Regulatory Staff for a Rule to Show Cause as to Why the Certificates of Public Convenience and Necessity for Certain Providers of Telecommunications Services Should Not Be Revoked (Docket No. 2008-

215-C), relative to the Certificate of Public Convenience and Necessity of Cypress Communications Operating Company, Inc. is dismissed as moot.

3. If applicable, Cypress Communications Operating Company, Inc. remains responsible for any assessments due.

4. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

Elizabeth B. Fleming, Chairman

ATTEST:

John E. Howard, Vice Chairman

(SEAL)