

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION
AT RICHMOND, NOVEMBER 22, 2024

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*State Corporation Commission
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11/22/2024 - 8:58 am*

APPLICATION OF

SMART COMMUNICATION SYSTEMS, LLC

CASE NO. PUR-2024-00089

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

FINAL ORDER

On July 1, 2024, Smart Communication Systems, LLC ("SCS" or "Company") completed the filing of an application ("Application") with the State Corporation Commission ("Commission") for certificates of public convenience and necessity ("Certificates") to provide local exchange and interexchange telecommunications services in the Commonwealth of Virginia. The Company also requested authority to price its interexchange telecommunications services on a competitive basis pursuant to § 56-481.1 of the Code of Virginia ("Code"). In addition, the Company filed a Motion for Protective Order ("Protective Order Motion") in accordance with 5 VAC 5-20-170 of the Commission's Rules of Practice and Procedure.¹

On July 25, 2024, the Commission issued an Order for Notice and Comment that, among other things, directed SCS to provide notice to the public of its Application; provided interested persons an opportunity to comment and request a hearing on the Company's Application; and directed the Staff of the Commission ("Staff") to investigate the Application and file a report ("Staff Report"). The Company filed the required proof of notice and proof of service with the Commission. No comments or requests for hearing on the Company's Application were filed.

¹ 5 VAC 5-20-10 *et seq.*

On September 27, 2024, Staff filed its Staff Report concluding that, subject to a bond condition, the Company's Application adequately demonstrated the minimum requirements to provide local exchange and interexchange telecommunications services in accordance with the Commission's Rules Governing the Certification and Regulation of Competitive Local Exchange Carriers, 20 VAC 5-417-10 *et seq.* ("Local Rules") and the Rules Governing the Certification of Interexchange Carriers, 20 VAC 5-411-10 *et seq.* ("Interexchange Rules"). Based upon its review of the Company's Application, Staff recommends the following bond condition: SCS should notify the Division of Public Utility Regulation no less than 30 days prior to the cancellation or lapse of its bond and should provide a replacement bond at that time. Staff recommended that this requirement be maintained until the Commission determines it no longer is necessary. No response to the Staff Report was filed.

NOW THE COMMISSION, upon consideration of this matter and having been advised by Staff through the Staff Report, is of the opinion and finds that it should grant Certificates to SCS subject to a bond condition, as recommended by Staff. Having considered Code § 56-481.1, the Commission finds that SCS should be granted authority to price its interexchange services competitively. Further, the Commission finds that the Company's Protective Order Motion is no longer necessary, and therefore is moot.²

Accordingly, IT IS ORDERED THAT:

(1) SCS is granted Certificate No. T-807 to provide local exchange telecommunications services subject to the restrictions set forth in the Local Rules, Code § 56-265.4:4, and the provisions of this Final Order.

² The Commission held the Company's Protective Order Motion in abeyance and has not received a request for leave to review the confidential information submitted in this proceeding.

(2) SCS is granted Certificate No. TT-328A to provide interexchange telecommunications services subject to the provisions of the Interexchange Rules, Code § 56-265.4:4, and the provisions of this Final Order.

(3) Pursuant to Code § 56-481.1, SCS may price its interexchange telecommunications services competitively.

(4) Prior to providing telecommunications services pursuant to the Certificates granted by this Final Order, the Company shall provide tariffs to the Division of Public Utility Regulation that conform to all applicable Commission rules and regulations. If SCS elects to provide retail services on non-tariffed basis, it shall provide written notification pursuant to Local Rule 20 VAC 5-417-50 A.

(5) SCS shall notify the Division of Public Utility Regulation no less than thirty (30) days prior to the cancellation or lapse of its bond and shall provide a replacement bond at that time. This requirement shall be maintained until such time as the Commission determines it is no longer necessary.

(6) The Company's Protective Order Motion is moot; however, the Commission directs the Clerk of the Commission to retain under seal the confidential information to which the Protective Order Motion pertains.

(7) This case is dismissed.

A COPY hereof shall be sent electronically by the Clerk of the Commission to all persons on the official Service List in this matter. The Service List is available from the Clerk of the Commission.