

ORIGINAL

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

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IN THE MATTER OF THE DESIGNATION OF ELIGIBLE)
TELECOMMUNICATIONS CARRIERS BY THE UTILITY)
REGULATORY COMMISSION PURSUANT TO THE)
TELECOMMUNICATIONS ACT OF 1996 AND RELATED)
FCC ORDERS AND IN PARTICULAR, THE)
APPLICATION OF BIRCH TELECOM OF THE GREAT)
LAKES, INC. DBA BIRCH COMMUNICATIONS TO BE)
SO DESIGNATED)

CAUSE NO. 41052 ETC 66

APPROVED: **MAR 21 2013**

ORDER OF THE COMMISSION

Presiding Officers:

Larry S. Landis, Commissioner

Gregory R. Ellis, Administrative Law Judge

On November 29, 2012, Birch Telecom of the Great Lakes, Inc. dba Birch Communications ("Petitioner" or "Birch") filed its Verified Application ("Petition") for designation as an eligible telecommunications carrier ("ETC") for the limited purpose of offering Lifeline service to qualified households with the Indiana Utility Regulatory Commission ("Commission"). On March 6, 2013, Birch filed its Motion to Withdraw Petition and Dismissal Without Prejudice ("Motion"). Birch indicated that because its business plans are evolving, it prefers to withdraw its Petition and possibly file its request for ETC designation at a later date. Neither the Indiana Office of the Utility Consumer Counselor nor intervenor, Indiana Telecommunications Association, objected to Birch's request for voluntary dismissal of the pending request for ETC designation.

Upon reviewing the Petitioner's Motion, the Commission now finds that this Cause should be dismissed without prejudice.

IT IS THEREFORE ORDERED BY THE INDIANA UTILITY REGULATORY COMMISSION, that:

1. The Petition of Birch Telecom of the Great Lakes, Inc. for designation as an eligible telecommunications carrier is hereby dismissed without prejudice.
2. This Order shall be effective on and after the date of its approval.

ATTERHOLT, BENNETT, LANDIS, MAYS AND ZIEGNER CONCUR:

APPROVED: **MAR 21 2013**

I hereby certify that the above is a true and correct copy of the Order as approved.

[Handwritten signature: Shala M. Coe]

Shala M. Coe
Acting Secretary to the Commission