

ORIGINAL

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

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APPLICATION OF UNITE PRIVATE NETWORKS,)
LLC FOR A CERTIFICATE OF TERRITORIAL)
AUTHORITY TO PROVIDE FACILITIES-BASED)
LOCAL EXCHANGE AND BUNDLED RESALE OF)
LOCAL EXCHANGE TELECOMMUNICATIONS)
SERVICES IN THE STATE OF INDIANA)

CAUSE NO. 43651

APPROVED: JUN 30 2009

BY THE COMMISSION:

Lorraine Hitz-Bradley, Administrative Law Judge

On March 6, 2009, Unite Private Networks, LLC ("Petitioner") filed its Petition with the Indiana Utility Regulatory Commission for a certificate of territorial authority to provide telecommunications services within the State of Indiana, as captioned herein.

On April 2, 2009, the Presiding Officer issued a docket entry requesting additional information from Petitioner regarding the types of services that it planned to provide. On April 6, 2009, Petitioner responded. On June 25, 2009, the Presiding Officer issued a second docket entry advising Petitioner that its Application was incomplete and inaccurate,

because Applicant has not demonstrated that it is proposing to offer any services for which a CTA is necessary under either the current CTA requirements or the new requirements that will take effect on July 1, 2009.... In order to qualify as a communications service provider, Unite must offer communications service to customers in Indiana defined under I.C. 8-1-32.5-3 as a telecommunications, information, or video service. If Unite believes that it qualifies as a communications service provider ("CSP") under I.C. 8-1-2-32.5-4 because it proposes to offer communications services as described in I.C. 8-1-2-32.5-3, it should (1) withdraw the pending application under this Cause and (2) complete the new CSP CTA application form available on the Commission's website at <http://www.in.gov/iurc/2400.htm> and identify the communications services that it proposes to offer in Indiana.

On June 25, 2009, Petitioner filed its *Petition to Withdraw the Pending Application* in response to the June 25, 2009 docket entry.

The Commission, being duly advised, hereby grants Petitioner's *Petition to Withdraw* without prejudice.

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

1. Cause No. 43651, initiated by the application filed on April 8, 2009 by Unite Private Networks, LLC, is hereby dismissed without prejudice.
2. This Order shall be effective on and after the date of its approval.

HARDY, ATTERHOLT, GOLC, LANDIS, AND ZIEGNER CONCUR:

APPROVED: JUN 3 0 2009

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



**Brenda A. Howe
Secretary to the Commission**