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Handwritten initials: SPA, CW, and a signature.

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

REACH BROADBAND INC) CAUSE NO. 43880
APPLICATION FOR A CERTIFICATE)
OF TERRITORIAL AUTHORITY FOR) ORDER OF DISMISSAL
COMMUNICATIONS SERVICE)
PROVIDERS) APPROVED: AUG 25 2010

BY THE COMMISSION:
Jeffery A. Earl, Administrative Law Judge

On April 12, 2010, Reach Broadband Inc. ("Applicant") filed an application for a certificate of territorial authority in this Cause. On May 11, 2010, the Presiding Administrative Law Judge issued a Docket Entry informing Applicant the application was incomplete and requesting additional information to be filed within thirty days. On June 14, 2010, the Presiding Administrative Law Judge communicated with Applicant regarding the application. At that time, Applicant indicated it needed additional time to provide the requested materials. Applicant has failed to respond or otherwise provide the requested information.

Pursuant to 170 Indiana Administrative Code 1-1.1-24, the Commission may, after providing at least ten days notice of its intent, dismiss any proceeding that has been pending upon the Commission docket and is not currently set for hearing if no action has been taken by any party to the proceeding for a period of sixty (60) days. On August 3, 2010, the Presiding Administrative Law Judge issued a docket entry providing notice to all parties of the Commission's intent to dismiss this Cause without prejudice unless Applicant provided the information requested or filed a motion for additional time pursuant to 170 Indiana Administrative Code 1-1.1-12(a)(4)(B)(ii). The Commission has not received any response from Applicant and more than ten days have passed since the August 3, 2010, docket entry. Therefore, this Cause is dismissed without prejudice.

Applicant may file a new application for a certificate of territorial authority when it is able to fulfill all requirements of the application. However, pursuant to Indiana Code section 8-1-32.5-6(a), "before a communications service provider may offer communications service to customers in Indiana, the communications service provider must apply to the commission for a certificate of territorial authority." To the extent Applicant may be already providing communications service in Indiana, such provision of service is in violation of Indiana law.

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

1. Reach Broadband, Inc.'s application for a certificate of territorial authority submitted under Cause Number 43880 is hereby dismissed without prejudice.

2. This Order shall be effective on and after the date of its approval.

HARDY, ATTERHOLT, MAYS AND ZIEGNER CONCUR; LANDIS ABSENT:

APPROVED: AUG 25 2010

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

A handwritten signature in cursive script that reads "Brenda A. Howe". The signature is written in black ink and is positioned above a solid horizontal line.

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