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STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

TIPTON INC. APPLICATION FOR A) CAUSE NO. 44096
CERTIFICATE OF TERRITORIAL AUTHORITY)
FOR COMMUNICATIONS SERVICE PROVIDERS) APPROVED: FEB 01 2012

ORDER OF THE COMMISSION

Presiding Officer:
Angela Rapp Weber, Administrative Law Judge

On October 17, 2011, Tipton Inc. (“Applicant”) filed with the Indiana Utility Regulatory Commission (“Commission”) its Application for a Certificate of Territorial Authority (“CTA”) to provide communications services, specifically information services defined in 47 U.S.C. 153(20),¹ as described in the Application, within the State of Indiana. The Commission published notice that Applicant filed an application for a CTA to provide communications services within the State of Indiana. Absent a timely request, the Application may be granted without a hearing.

Based upon information contained in the Application and applicable law, the Commission makes the following findings:

1. Commission Notice and Jurisdiction. Due, legal and timely notice of the Application was given and published by the Commission in accordance with General Administrative Order 2011-2 and Indiana Code § 8-1-32.5-9. Applicant requests the issuance of a CTA pursuant to Indiana Code ch. 8-1-32.5 and, therefore, the Commission has jurisdiction over the Applicant and the subject of this Cause.

2. Commission Discussion and Findings. The Applicant filed an application for a CTA and information describing its proposed communications services. The Application was filed with the Commission on October 17, 2011. Notice of the Application was posted to the Commission’s website. No timely written request for intervention or a hearing was made by any entity during the thirty-day posting period, and the Commission has not, on its own motion, determined a need for a hearing in this Cause. Accordingly, no hearing is required in this Cause.

However, the Commission identified several deficiencies in Applicant’s CTA Application. Commission Staff communicated with Applicant on several occasions concerning the deficiencies. On December 27, 2011, the Presiding Administrative Law Judge issued a Docket Entry listing the deficiencies in Applicant’s CTA Application and indicated that if the deficiencies were not remedied by January 18, 2012, this Cause would be dismissed without

¹ The definition of information service referenced and cited in Indiana Code ch. 8-1-32.5 as 47 U.S.C. 153(20) was amended October 8, 2010 by Public Law 111-260. P.L. 111-260 added seven new definitions to 47 U.S.C. 153. The definition of information service was not changed, but redesignated as 47 U.S.C. 153(24). The current version of Indiana Code ch. 8-1-32.5 refers to the definitions in 47 U.S.C. 153 prior to its amendment.

prejudice. As of the date of this Order, the issues identified by the December 27, 2011 Docket Entry have not been corrected. Accordingly, this Cause is dismissed without prejudice.

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

1. This Cause is 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: FEB 01 2012

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



Brenda A. Howe
Secretary to the Commission