

FILE



July 14, 2008  
*Via Overnight Delivery*

Renée Jenkins, Secretary of Commission  
Public Utilities Commission of Ohio  
180 East Broad Street  
Columbus, Ohio 43266-0573

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**RE: Cavalier Networks, LLC; 90-9115-TP-TRF  
Case No. 04-1829-TP-ATC; Compliance Filing**

Dear Ms. Jenkins:

Please accept this letter, submitted on behalf of Cavalier Network, LLC in the case referenced above, as a request to withdraw P.U.C.O. Tariff No. 1, Intrastate Telecommunications Services Tariff, in its entirety. This request for withdrawal is submitted pursuant to Paragraph 5 of the *Finding and Order* issued on December 21, 2004, in this case. The Company has previously filed a carrier-to-carrier tariff to reflect the dark fiber services that it offers to other carriers.

Also enclosed for filing in this case is a summary of the history of Cavalier Network, LLC's certificate and tariff, which is offered as an explanation for the Company's proposal to withdraw its current local tariff and its filing of a new tariff that includes only limited carrier-to-carrier services.

Questions regarding this filing may be directed to my attention at (407) 740-3031 or via e-mail at sthomas@tminc.com. Please acknowledge receipt of this filing by date stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided for this purpose. Thank you for your assistance.

Sincerely,

Sharon Thomas  
Consultant to Cavalier Networks, LLC

*Enclosure*

cc: Office of Ohio Utilities Consumer Counsel  
M. Ring, Cavalier  
File: Cavalier - OH Local  
TMS: OHL0803

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Technician Ann Date Processed 7/17/08

## **Cavalier Networks, LLC**

### **Explanation of the History of Certificate and Tariff**

On December 6, 2004, City Signal Communications Inc. filed an application with the Commission to change ownership and to transfer Certificate No. 90-9115 to Cavalier Networks, LLC. ("Cavalier"). City Signal's certificate included local and interexchange service authority but the company did not offer any of the services that were included in its tariff. City Signal only offered dark fiber to three customers.

On Dec. 21, 2004, in Case No. 04-1829-TP-ATC, the Commission granted a transfer of certificate from City Signal to Cavalier. That approval was given because City Signal would be transferring the dark fiber customers and had never provided local service and Cavalier intended to initially offer the same service. In its Finding and Order, the Commission noted that Cavalier's tariff and certificate would need to reflect the company's business plan and expected the Company to file an application to revise both.

On October 14, 2005, Cavalier filed a letter in Case No. 04-1829-TP-ATC confirming that certificate 90-9115 would be for Competitive Telecommunication Services (CTS). Based upon the Company's filing, the certificate was amended by the Commission to a CTS on October 25, 2005. Additionally, at that time Cavalier projected that it would file a separate application for authority to provide local exchange service by mid-year 2006.

Cavalier never expanded its operations to include retail local service, and continues to provide only the limited dark fiber services that were provided by City Signal at the time of the transfer. Due to an inadvertent oversight, the Company did not file to withdraw its existing tariff, which included retail local exchange services. This resulted in a conflict between the tariff and the authority granted under the certificate.

On July 8, 2008, under TRF filing, Cavalier appropriately filed with the Commission the tariff that reflects both its actual service offerings and certificate.