

customers in the Cleveland and Columbus markets, i.e., Cuyahoga, Delaware, Fairfield, Franklin, Geauga, Lake, Madison, Perry, Pickaway, and Union counties, Ohio.

- (3) By finding and order issued February 24, 2000, in Case No. 99-952-TP-ACE, the Commission granted LDMI authority to provide local and interexchange telecommunications service in Ohio as a CLEC. The Commission issued certificate number 90-9106 to LDMI on May 15, 2000. LDMI is authorized to provide local exchange service in the following Ohio counties: Adams, Athens, Belmont, Brown, Butler, Carroll, Champaign, Clark, Clinton, Columbiana, Coshocton, Cuyahoga, Delaware, Erie, Fairfield, Fayette, Franklin, Gallia, Geauga, Greene, Guernsey, Hancock, Harrison, Highland, Hocking, Jefferson, Lake, Lawrence, Lucas, Madison, Mahoning, Miami, Monroe, Montgomery, Morgan, Muskingum, Noble, Pickaway, Pike, Portage, Ross, Sandusky, Scioto, Seneca, Shelby, Stark, Summit, Trumbull, Tuscarawas, Warren, Washington, Wayne, Wood, and Wyandot.
- (4) Because the service area of LDMI does not include Perry and Union counties, LDMI requests that its certificate and tariff be amended to include those counties in its service area. By adding Perry and Union counties, LDMI will be able to serve the entire area currently served by Mpower.
- (5) Mpower will cease operations in Ohio. Consequently, attendant to the transfer of assets to LDMI, Mpower requests that its certificate of public convenience and necessity be cancelled.
- (6) LDMI and Mpower are telephone companies as defined in Section 4905.03(A), Revised Code, and public utilities as defined in Section 4905.02, Revised Code. Therefore, the applicants are subject to the jurisdiction of the Commission under the authority of Sections 4905.04 and 4905.05, Revised Code.
- (7) After reviewing the application and supporting exhibits, the Commission concludes that the proposed transfer of assets from Mpower to LDMI does not appear to be unreasonable, improper, or contrary to the public interest. The Commission, therefore, concludes that the application should be approved. Furthermore, LDMI's request to add Perry and Union counties to its local exchange service area is reasonable, in the public interest, and should be granted. Accordingly, an amended certificate should be issued to LDMI adding Perry and Union counties, Ohio. Because Mpower will cease regulated operations in Ohio, its certificate, 90-9098, shall be cancelled.

It is, therefore,

ORDERED, That the proposed transfer of assets from Mpower to LDMI is approved. It is, further,

ORDERED, That LDMI's tariff and certificate of public convenience and necessity, 90-9106, is amended to include Perry and Union counties, Ohio. It is, further,

ORDERED, That Mpower's certificate of public convenience and necessity, 90-9098, is cancelled. It is, further,

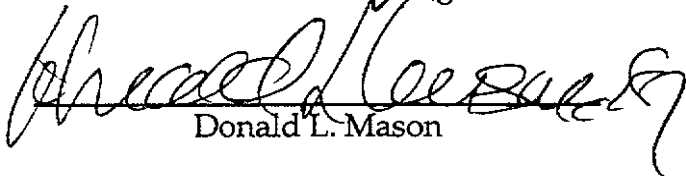
ORDERED, That a copy of this finding and order be served upon the applicants and all interested persons of record.

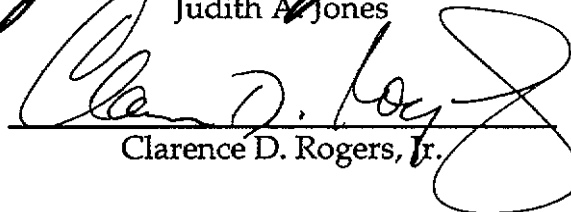
THE PUBLIC UTILITIES COMMISSION OF OHIO

Alan R. Schriber, Chairman


Ronda Hartman Fergus



Judith A. Jones


Donald L. Mason


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LDJ/vrm

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Renee J. Jenkins
Secretary