

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO**

DOCKET NO. 04A-581T

---

IN THE MATTER OF THE APPLICATION OF SUBURBAN BROADBAND, LLC.  
FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE  
LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES AND FOR A LETTER OF  
REGISTRATION TO PROVIDE EMERGING COMPETITIVE TELECOMMUNICATIONS  
SERVICES.

---

**ORDER GRANTING MOTION TO  
WITHDRAW APPLICATION**

---

Mailed Date: December 13, 2004

Adopted Date: December 7, 2004

**I. BY THE COMMISSION**

**A. Statement and Findings of Fact**

1. On November 5, 2004, Suburban Broadband, LLC (Suburban) filed an application for a Certificate of Public Convenience and Necessity (CPCN) to provide local exchange telecommunications services and for a Letter of Registration to provide emerging competitive telecommunications services.

2. On November 15, 2004, Commission Staff (Staff) sent a letter requesting additional information. The company did not respond.

3. On December 2, 2004, Staff conducted a conference call with a representative of Suburban to discuss the nature of service to be provided to customers. Suburban represented to Staff that it will be delivering Voice Over Internet Protocol, a service not regulated by this Commission. After its conversations with Suburban, it was Staff's opinion that no CPCN would be necessary for the company to conduct operations.

4. Suburban indicated in conversation that a motion to withdraw the application would be filed. Suburban did file a letter with Staff indicating its intent to withdraw the application. However, no motion has been received as of this date, and there has been no further communication from the company.

5. Good cause having been shown, we will construe Suburban's letter as a motion to withdraw the application and grant the motion and close the docket.

## **II. ORDER**

### **A. The Commission Orders That:**

1. The November 17, 2004 letter of Suburban Broadband, LLC is construed as a motion to withdraw its application and is granted

2. The above-indicated docket is closed.

3. This Order is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
December 7, 2004.**

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Commissioners