

Decision No. C14-1165

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14A-0838T

IN THE MATTER OF THE APPLICATION FILED BY CITRIX COMMUNICATIONS LLC,
FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE
LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES (4 CCR 723-2-2103).

**DECISION DISMISSING APPLICATION
AND CLOSING THE PROCEEDING**

Mailed Date: September 19, 2014

Adopted Date: September 17, 2014

I. BY THE COMMISSION

A. Statement

1. On August 7, 2014, Citrix Communications LLC (Citrix) filed an application for a Certificate of Public Convenience and Necessity (CPCN) to provide local exchange telecommunications services and a Letter of Registration (LOR) to provide switched access and jurisdictional private line services.

2. Staff of the Public Utilities Commission (Staff) sent a written notification pursuant to Rule 1303(b)(II) of the *Rules of Practice and Procedure, 4 Code of Colorado Regulations 723-1* on August 18, 2014, to the contact person identified in Citrix's application. Staff requested information for Question 5, section F that was not adequately answered in the application that is necessary for the application to be deemed complete and for the Commission to issue a CPCN and an LOR. The written notification also included a request for additional information.

3. Information that is required on the application form that was unanswered is in Question 5, section F (detailed information on the sources of capital funds that will be used to provide telecommunications services).

4. Rule 1303(b)(II) states that the applicant's response, if any, shall be filed no later than ten days after Staff's written notification was sent. Staff requested that the responses to the inquiries be submitted by September 2, 2014. Citrix failed to file a response.

5. Rule 1303(b)(II) further states that if the applicant does not respond in the time allotted, the Commission may, after the application's notice period has expired, dismiss the application without prejudice and close the proceeding. The notice period expired on September 10, 2014.

6. Based on Citrix's failure to timely respond to Staff's written notification and failure to provide the necessary information within the time provided in Rule 1303(b)(II), we find good cause to dismiss the application for a CPCN filed by Citrix, without prejudice.

II. ORDER

A. The Commission Orders That:

1. The Application for a Certificate of Public Convenience and Necessity filed by Citrix Communications LLC, on August 7, 2014, is dismissed without prejudice.

2. This Proceeding is closed.

3. The 20-day period provided for in § 40-6-114, C.R.S., within which to file applications for rehearing, reargument, or reconsideration begins on the first day following the effective date of this Decision.

4. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
September 17, 2014.**

(S E A L)



ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Doug Dean".

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JOSHUA B. EPEL

PAMELA J. PATTON

GLENN A. VAAD

Commissioners