GOVERNMENT OF THE VIRGIN ISLANDS
OF THE UNITED STATES

Public Services Commission

IN RE:

MOMENTUM TELECOM, INC. APPLICATION ) Docket No. 641
FOR AUTHORITY TO PROVIDE ) Order No. 25/2017
TELECOMMUNICATIONS SERVICES )
WITHIN THE UNITED STATES VIRGIN ISLANDS )

ORDER

WHEREAS, on December 19, 2014, Momentum Telecom, Inc. (hereinafter
"Momentum") filed an Application for authority to provide telecommunications services in the
United States Virgin Islands with the Virgin Islands Public Services (hereinafter "PSC" or
"Commission"), and

WHEREAS, on May 5, 2015, the Commission appointed Johann Clendenin as Hearing
Examiner to preside over the proceedings in Docket 641, and

WHEREAS, on May 18, 2015, Hearing Examiner, Johann Clendenin, conducted a
public hearing and heard from Momentum, the PSC’s technical consultants and staff and the
public at the Commission’s offices on both St. Thomas and St. Croix, United States Virgin
Islands; and

WHEREAS, on May 19, 2015, the Hearing Examiner submitted his Report and
Recommendations to the Commission, and the Commission ACCEPTED the Hearing
Examiner’s Report and Recommendations, and the findings and conclusions therein, and to
include all items and the expanded scope of the Hearing Examiner’s Report; and

WHEREAS, on December 18, 2015, both AT&T Mobility USVI Inc. (hereinafter
"AT&T") and CTIA Wireless Association (hereinafter "CTIA") filed a Petition for
Reconsideration with the Commission seeking the Commission’s reconsideration of PSC Order
No. 47/2015, dated November 20, 2015; and

WHEREAS, on January 8, 2016, the Commission received a correspondence from Sprint
Corporation supporting CTIA’s Petition for Reconsideration; and

WHEREAS, on January 8, 2016, the Commission received comments from Momentum
on the AT&T and CTIA Petitions for Reconsideration, and
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WHEREAS, on January 12, 2016, AT&T filed its Objection to the Commission’s January 7, 2016, Agenda regarding the formal hearing of AT&T’s Petition for Reconsideration of PSC Order No 47/2015, and

WHEREAS, on January 12, 2016, the Commission met in special session at the Commission’s offices on both St. Thomas and St. Croix, United States Virgin Islands and voted to GRANT the Petitions for Reconsideration and remand the matters in Docket 641 to the Hearing Examiner for further proceedings, investigation and review, and

WHEREAS, on December 15, 2016, the Commission met in regular session at the Commission’s offices on both St. Thomas and St. Croix, United States Virgin Islands; and

WHEREAS, upon review and deliberation the Commission voted to accept the Hearing Examiner’s Report, RESCIND the prior PSC Order No 47/2015, affirm PSC authority under Federal Title II and USVI Title 30 to address the Momentum application as regards to the delivery of telephone services, and approve Momentum’s Application for authority to provide telecommunications services in the United States Virgin Islands with the Virgin Islands Public Services; and

NOW THEREFORE, the Commission ORDERS that

1. The Hearing Examiner’s Report is accepted.
2. PSC Order 47/2015 is rescinded.
3. The Public Services Commission affirms its authority under Federal Title II and USVI Title 30 to address the Momentum application as regards to the delivery of telephone services
4. Momentum’s Application for authority to provide telecommunications services in the United States Virgin Islands with the Virgin Islands Public Services is APPROVED.

So Ordered.

For the Commission

[Signature]

Date January 11, 2017

Andrew Runniki, Chair