

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Penalty Assessment)	DOCKET UT-121003
Against)	
)	NOTICE OF BRIEF ADJUDICATIVE
QUALITY TELEPHONE, INC.)	PROCEEDING
)	
In the Amount of \$1,050)	SETTING TIME FOR ORAL
)	STATEMENTS
)	(Set for November 27, 2012,
)	at 10:00 a.m.)
.....)	

- 1 On August 1, 2012, the Washington Utilities and Transportation Commission (Commission) issued Penalty Assessment UT-121003 against Quality Telephone, Inc. (Quality Telephone) in the amount of \$1,050, alleging a violation of WAC 480-120-382, which requires competitively classified telecommunications companies to file annual reports with the Commission by May 1 each year and pay regulatory fees annually on that date.

- 2 On August 10, 2012, Quality Telephone filed with the Commission a request for hearing stating that currently it has no customers in the State of Washington and is planning on having its license surrendered prior to the end of this year. Quality Telephone further states that its last customer was disconnected in October 2011, and over the past four years Quality Telephone has had no obligation to pay regulatory fees due to a very small customer base in the Washington market. Quality Telephone goes on to say that it believes a \$1,050 fine on a zero dollar obligation seems a bit unjust.

- 3 On October 23, 2012, Commission Staff filed a response to Quality Telephone’s request. Staff states that while it is true that Quality Telephone was not required to pay regulatory fees in the past four years, it is still required to file an annual report. Staff further states that it does not support mitigating the assessed penalty further and recommends that the request be denied.

4 Pursuant to RCW 34.05.482 and WAC 480-07-610, the Commission determines that a brief adjudicative proceeding is appropriate for determining whether the alleged violation of WAC 480-120-382 occurred and, if so, whether the penalty should be mitigated.

5 **THE COMMISSION GIVES NOTICE That it will hold a brief adjudicative proceeding in this matter at 10:00 a.m., on Tuesday, November 27, 2012, in Room 108, First Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.** If you are unable to attend the brief adjudicative proceeding in person, you may attend via the Commission's teleconference bridge line at **(360) 664-3846**. Please appear on the teleconference bridge five minutes before the conference is scheduled to begin.

6 The record in this case will consist of any documents regarding the matter that are considered by or prepared for the presiding officer for the brief adjudicative proceeding and a transcript of any oral statements given at the hearing, which statements will be given under oath.

7 Written notice of any other stage in the proceeding or other formal proceedings that the Commission may deem appropriate will be given during the course of this case. The Commission will provide at its offices in Olympia, Washington, copies of documents in the current record for use by the parties or others who may want to review them.

8 Parties wishing to submit any other documents for consideration at the brief adjudicative proceeding must file with the Commission a list enumerating and describing any such documents **no later than 5:00 p.m. on Friday, November 16, 2012**, and bring an original and three (3) copies to the hearing. Filing shall be in accordance with WAC 480-07-140 and – 145.

9 **THE COMMISSION GIVES NOTICE that any party who fails to attend or participate in the brief adjudicative proceeding set by this Notice, or any other stage of this proceeding, may be held in default under RCW 34.05.440 and WAC 480-07-450.**

10 The names and mailing addresses of all known parties and their known representatives are as follows:

Complainant: Washington Utilities and
Transportation Commission
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250

Representative: Sally Brown
Assistant Attorney General
1400 S. Evergreen Park Drive S.W.
P.O. Box 40128
Olympia, WA 98504-0128
(360) 664-1193
sbrown@utc.wa.gov

Respondent: Quality Telephone, Inc.
Jeremy Reed, Regulatory Analyst
600 N. Pearl Street, Suite S104
Dallas, TX 75201-2822
(241) 884-1725
regulatory@qtelephone.com

- 11 Administrative Law Judge Adam E. Torem, from the Commission's Administrative Law Division, will preside during this proceeding.
- 12 The Commission will give parties notice of any other procedural phase of the proceeding in writing or on the record, as appropriate during this proceeding.

DATED at Olympia, Washington, and effective November __, 2012.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER
Executive Director and Secretary

Inquiries may be addressed to:

Executive Director and Secretary
Washington State Utilities and
Transportation Commission
Richard Hemstad Building
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250
(360) 664-1160

NOTICE

Hearing facilities are accessible to persons with disabilities. Smoking is prohibited. If limited English-speaking, hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

If you need an interpreter, or have other special needs, please fill out this form and return it to Washington State Utilities and Transportation Commission, Attention: David W. Danner, 1300 S. Evergreen Park Drive SW, P. O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket: _____

Case Name: _____

Hearing Date: _____ Hearing Location: _____

Primary
Language: _____

Hearing Impaired (Yes) _____ (No) _____

Do you need a certified sign language interpreter:

Visual _____ Tactile _____

Other type of assistance needed: _____

English-speaking person who can be contacted if there are questions:

Name: _____

Address: _____

Phone No.: (____) _____