

We're received permission from the AGs office to write off the penalty assessed in UT-051458. The docket can be closed.

Thanks!

-Sheri

----- Forwarded by Sheri Hoyt/WUTC on 12/13/2006 12:29 PM -----

**Sally Johnston/WUTC**

12/13/2006 10:26 AM

To: Sheri Hoyt/WUTC@WUTC  
Cc: Vicki Elliott/WUTC@WUTC  
Subject: Re: Penalty assessments

Permission granted.

**Sheri Hoyt/WUTC**

12/11/2006 12:18 PM

To: Sally Johnston/WUTC@WUTC  
Cc: Vicki Elliott/WUTC@WUTC  
Subject: Penalty assessments

Good afternoon Sally.

On December 6, 2005, the commission issued a \$100 penalty against Northwest Open Access Network Oregon (NoaNet Oregon) in Docket UT-051458. NoaNet Oregon failed to file its 2004 Annual Report by the May 1 deadline. NoaNet Oregon did not remit payment, nor ask for mitigation of the penalty. On April 25, 2006, the commission sent NoaNet Oregon a letter requesting the company remit payment of the penalty assessment. It did not do so. On June 8, 2006, your office sent a second letter requesting payment of the penalty assessment. To date, the company has not paid the penalty assessment.

On July 5, 2006, the commission issued another \$100 penalty assessment against NoaNet Oregon in Docket UT-060977. NoaNet Oregon failed to file its 2005 Annual Report timely. The company did not remit payment or request mitigation, so on October 13, 2006, (previous email for Exergy mis-stated the date as October 10, 2006) the commission again sent a letter notify the company its payment for the penalty was delinquent. To date, the company has not paid the penalty assessment.

On October 27, 2006, the commission canceled NoaNet Oregon's registration for failure to file the 2005 Annual Report.

At this time, I am requesting your permission to have both of the \$100 penalty assessments written off as Northwest Open Access Network Oregon no longer has a valid telecommunications registration and collection of the debts is unlikely.

Thank you,  
Sheri Hoyt