

We're received permission from the AGs office to write off the penalty assessed in UT-052036. 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 12:05 PM

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

Good afternoon Sally.

On January 31, 2006, the commission issued a \$100 penalty against Exergy Group, LLC (Exergy) in Docket UT-052036. Exergy failed to file its 2004 Annual Report by the May 1 deadline. Exergy did not remit payment, nor ask for mitigation of the penalty. On March 3, 2006, the commission sent Exergy 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 Exergy in Docket UT-060977. Exergy failed to file its 2005 Annual Report timely. The company did not remit payment or request mitigation, so on October 10, 2006, the commission against 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 Exergy Group LLC'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 Exergy Group, LLC, no longer has a valid telecommunications registration and collection of the debts is unlikely.

Thank you,
Sheri Hoyt