

[Service Date August 2, 2002]

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

DOCKET NO. UT-010785

Petitioner,

v.

DEFAULT ORDER

ACCESSLINE COMMUNICATIONS
CORPORATION; ACCUTEL
COMMUNICATIONS, INC.; ACTEL
INTEGRATED COMMUNICATONS,
INC.; ADVANCED
TELECOMMUNICATIONS NETWORK,
INC.; AMERICAN TEL GROUP, INC;
AMERICAN TELECOMMUNICATIONS
ENT., INC.; APOLLO TELECOM
NETWORK, INC.; ATLANTA NEW
YORK WAREHOUSE OUTLETS, INC.;
ATLANTIC TELEPHONE COMPANY,
INC.; ATLAS EQUITY, INC. d/b/a
PERFORMANCE TELECOM; BRENTTEL
COMMUNICATIONS; BRITTAN
COMMUNICATIONS INTERNATIONAL
CORPORATION; CARIBBEAN
TELEPHONE AND TELEGRAPH; CASH
BACK REBATES LD.COM, INC;
COINTEL, INC; COLORADO RIVER
COMMUNICATIONS CORPORATION;
COM TECH INTERNATIONAL
CORPORATION; COMPLUS, LLC;
CORPORATE SERVICES TELCOM, INC.;
COVENANT DEVELOPMENT
CORPORATION; CP NW 1, LLC; CSI
PAY TELEPHONE INVESTORS, LP;
CYBER SENTRY, INC.; DELTA PATCO;
DIALTEK, LLC; DIRECT CONNECT
COMMUNICATIONS, INC.; DISCOUNT
CALL RATING, INC.; DIVERSIFIED
SERVICE COMPANY; EAGLE
TELECOM, INC.;
ECI COMMUNICATIONS, INC.; ECLIPSE

COMMUNICATIONS CORPORATION;
ELIAS VENTURES, INC.;
ESSENTIAL.COM, INC.; FAXNET
CORPORATION; FONOROLA
CORPORATION; FUTURE TELEPHONE
COMMUNICATIONS; GLOBAL
TELELINK SERVICES, INC.; GLOBAL
TELEPHONE CORPORATION; GOLD
TEL CORPORATON; GREAT WEST
SERVICES, LTD.; HI-RIM
COMMUNICATIONS, INC.; IDEALDIAL
CORPORATION; INACOM
COMMUNICATIONS, INC.; INET
INTERACTIVE NETWORK SYSTEM,
INC.; INTEGRATED
TELETECHNOLOGIES, INC.;
INTELICOM INTERNATIONAL
CORPORATON; INTER-TEL NET
SOLUTIONS, INC.; INTERNATIONAL
TELE-SERVICE, INC.; INTERNET
TELEPHONE COMPANY; IPVOICE
COMMUNICATIONS, INC.; J D
SERVICES, INC.; PHONE CONNECTION;
JUNG SOO KWAK TELEPHONE;
LAWRENCE SMITH, INC.; LEAST COST
ROUTING, INC.; LEGENDS
COMMUNICATIONS, INC.; LONG
DISTANCE AMERICA, INC.; LONG
DISTANCE DIRECT HOLDINGS;
MAXTEL USA, INC.; MAXXIS
COMMUNICATIONS, INC.; CRESCENT
MOON ENTERPRISES; METROLINK
COMMUNICATONS, INC.,
METROMEDIA COMMUNICATIONS
CORPORATION; MINIMUM RATE
PRICING, INC.; NET-TEL
CORPORATON; NET.WORLD, INC.;
NETEL, INC.; NEW MILLENIUM
CONQUEST SERVICE CORP.; NOVA
TELECOM, INC.; OVERLOOK
COMMUNICATIONS INTERNATIONAL;
OZARK TELECOM, INC.; PACIFIC
FIBER LINK, LLC; PDGT.COM, INC.;
PHONES "R" US; PNV.NET, INC.;

POLAR COMMUNICATIONS CORPORATION; PRIDE AMERICA, INC.; PRO PLUS COMMUNICATIONS CORP.; QUANTUM COMMUNICATIONS; QUEST TELECOMMUNICATIONS, INC.; RAPID LINK USA, INC.; REFLEX COMMUNICATIONS, INC.; ROBERT PAYNE CORPORATION; ROCKY MOUNTAIN BROADBAND, INC.; S.V.V. SALES d/b/a ARCADA COMMUNICATIONS; SATLINK3000, INC.; SBR, INC.; SERVISENSE.COM, INC.; SOUTHNET TELECOMM SERVICES, INC.; SOUTHWEST PAY TELEPHONE CORPORATION; STARCOM SERVICE CORPORATION; STARLINK COMMUNICATIONS, LLC; STARTEC, INC.; STELLAR TELECOMMUNICATIONS SERVICES, INC.; STORMTEL, INC.; SUE DAVIS PAYPHONES; TACOMA TELEPHONE EXCHANGE, INC.; TELEDIAL AMERICA, INC.; TELEMAGEMENT SERVICES, INC.; TELERA COMMUNICATIONS, INC.; TELICOR, INC.; TELINK, INC.; TELNET COMMUNICATIONS, INC.; TELSCAPE, USA, INC.; TELSTAR INCORPORATED; TELTRUST TELECOMMUNICATIONS, INC.; THE WILLIAMS GROUP, INC.; TRADEX INTERNATIONAL, INC.; TTI TELECOMMUNICATIONS; U.S. NETWORK SERVICES, INC.; U.S. SOUTH COMMUNICATIONS, INC.; UNICOMM; UNITED NATIVE AMERICAN TELECOMMUNICATIONS; USA TELE CORPORATION; VALUE TEL, INC.; VISTA GROUP INTERNATIONAL, INC.; WATS INTERNATIONAL CORPORATION; WATS/800, INC. d/b/a INFORMATION & TELEPHONE SERVICES; WESTERN COMMUNICATIONS

NETWORK; WINSTAR WIRELESS, INC.;
 WORLD TELECOM GROUP, INC.;
 WORLDTOUCH COMMUNICATIONS,
 INC.; XTRACOM, INC.,

Respondents.

I. SYNOPSIS

1 *Commission Staff initiated action against 123 registered telecommunications companies for failure to pay regulatory fees and file annual reports. In this Order, 110 companies are held in default for failing to appear at the prehearing conference.*

II. PROCEDURAL BACKGROUND

2 On June 6, 2002, the Washington Utilities and Transportation Commission (“Commission”) served a Complaint and Notice of Prehearing Conference (“Complaint”) to 123 registered telecommunications companies and their registered agents to address the failure of each company to pay regulatory fees and file annual reports as required by state statutes and Commission rules. Each of the Companies have been registered as telecommunications companies pursuant to chapter 80.36 RCW and were thereby authorized to provide telecommunications services for compensation within Washington state.

3 Attachment A to the Complaint states each respondent companies’ name and address. Attachment B to the Complaint consists of a table listing each of the years between 1997 and 2000 that each company failed to file an annual report. Attachment C to the Complaint consists of a table listing each of the years between 1997 and 2000 that each company failed to file regulatory fees.

4 The Complaint was served to each company’s registered agent by certified mail and to the company by first class mail. Where no registered agent was designated, the Complaint was served to each company by certified mail.

5 Commission Staff (“Staff”) was the only party appearing at the prehearing conference.

III. RELEVANT STATUTES AND COMMISSION RULES

6 RCW 34.05.440(2) states: “If a party fails to attend or participate in a hearing or other stage of an adjudicative proceeding ... the presiding officer may serve upon all parties a default or other dispositive order, which shall include a statement of the grounds for the order.”

7 RCW 34.05.440(3) states: “Within seven days after service of a default order under
subsection (2) of this section ... the party against whom it was ordered may file a
written motion requesting that the order be vacated, and stating the grounds relied upon.”

8 WAC 480-09-700(3)(a) states that if a party fails to appear at the time and place set for a
hearing, then the Commission may find the party in default.

9 RCW 80.04.080 requires public service companies to furnish annual reports to the
Commission in such form as the Commission may require.

10 WAC 480-120-033 states that the Annual Report of Local and Competitive
Telecommunications Companies shall be filed with the Commission no later than May 1
of the succeeding year.

11 RCW 80.24.010 provides that, on or before the date specified by the Commission for
filing annual reports, each company is to pay to the Commission the appropriate
regulatory fee.

12 WAC 480-121-060 allows the Commission to revoke a registration, after hearing, for
good cause. Good cause includes failure to file an annual report or pay regulatory fees.

IV. MEMORANDUM

A. Purpose of Proceeding

13 This proceeding was commenced pursuant to chapter 34.05 RCW and chapter 480-09
WAC for the purposes of: (1) Determining whether the companies listed in the
Complaint violated state statutes and Commission rules requiring that registered
telecommunications companies file annual reports and pay regulatory fees; (2)
Determining whether the Commission should revoke the registrations and impose
penalties against the companies listed in the Complaint; and (3) Making any other
determination and entering such orders as may be just and reasonable.¹

B. Order of Default

14 The following companies filed requests to cease doing business: CoinTel, Inc.; Lawrence
Smith, Inc.; Net.world, Inc.; Pacific Fiber Link, LLC; PNV.net, Inc.; Stellar
Telecommunications Services, Inc.; U.S. Network Services, Inc.; Unicomm, and Winstar
Wireless, Inc. The Commission has allowed the requests to become effective as regular
open meeting no action agenda items.

¹ Complaint, at paragraph 21.

15 The following companies have complied with their obligations to file annual reports and pay regulatory fees: DialTek, LLC; Metromedia Communications Corporation; NeTel, Inc.; and U.S. South Communications, Inc.

16 The Notice of Prehearing Conference stated in the Complaint includes the notice that any party who fails to attend or participate in the prehearing conference may be held in default in accordance with the terms of RCW 34.05.440.²

17 The following 110 companies were served with the Complaint, but failed to appear at the prehearing conference or take other action regarding this proceeding:

Accessline Communications Corporation	Hi-Rim Communications, Inc.	Rocky Mountain Broadband, Inc.
Accutel Communications, Inc.	Delta Patco	IdealDial Corporation
Actel Integrated Communications, Inc.	Inacom Communications, Inc.	SATLINK 3000, Inc.
Advanced Telecommunications Network, Inc.	INET Interactive Network System, Inc.	SBR, Inc.
American Tel Group, Inc.	Integrated Teletechnologies, Inc.	ServiSense.com, Inc.
American Telecommunications Ent., Inc.	Intelicom International Corporation	Starcom Service Corporation
Apollo Telecom Network, Inc.	Inter-Tel Net Solutions, Inc.	Starlink Communications, LLC
Atlanta New York Warehouse Outlets, Inc.	International Tele-Service, Inc.	Stormtel, Inc.
Atlantic Telephone Company, Inc.	Internet Telephone Company.	Sue Davis Payphones
Atlas Equity, Inc. d/b/a Performance Telecom	IPVoice Communications, Inc.	Phones "R" Us
Brentel Communications	SouthNet TeleComm Services, Inc.	J D Services, Inc.
Brittan Communications International	Southwest Pay Telephone Corporation	Phone Connection
Caribbean Telephone and Telegraph	Jung Soo Kwak Telephone	Teledial America, Inc.
Cash Back Rebates LD.COM, Inc	Complus, L.L.C.	Least Cost Routing, Inc.
Colorado River Communications Corporation	Legends Communications, Inc.	Telemangement Services, Inc.
Com Tech International Corporation	Long Distance America, Inc.	Telera Communications, Inc.
StarTec, Inc. (StarTec Global Comm. Corp)	Long Distance Direct Holdings	Telicor, Inc.
Corporate Services Telcom, Inc.	Maxtel USA, Inc.	Telink, Inc.
Covenant Development Corporation	Maxxis Communications, Inc.	Telnet Communications, Inc.
CP NW 1, LLC	Crescent Moon Enterprises	Telscape, USA, Inc.
CSI Pay Telephone Investors, LP	Metrolink Communications, Inc.	TelStar Incorporated
S.V.V. Sales d/b/a Arcada Communications	Minimum Rate Pricing, Inc.	The Williams Group, Inc.
Direct Connect Communications, Inc	Net -Tel Corporation	Tradex International, Inc.
Discount Call Rating, Inc.	New Millennium Conquest Service Corp.	Nova Telecom, Inc.
Diversified Service Company	TelTrust Telecommunications, Inc.	TTI Telecommunications
Eagle Telecom, Inc.	Overlook Communications International	PDGT.COM, Inc.
ECI Communications, Inc.	Ozark Telecom, Inc.	USA Tele Corporation
Eclipse Communications Corporation	Elias Ventures, Inc.	Value Tel, Inc.
United Native American Telecommunications	Tacoma Telephone Exchange, Inc.	Vista Group International, Inc.
Essential.Com, Inc.	Polar Communications Corporation	Wats International Corporation
FaxNet Corporation	Western Communications Network	Pride America, Inc.
WorldTouch Communications, Inc.	Robert Payne Corporation	World Telecom Group, Inc.
fONOROLA Corporation	Pro Plus Communications Corp.	Xtracom, Inc.
Future Telephone Communications	Quantum Communications	Cyber Sentry, Inc.
Global Telelink Services, Inc.	Quest Telecommunications, Inc.	Great West Services, Ltd.
Global Telephone Corporation	Rapid Link USA, Inc.	ReFlex Communications, Inc.
WATS/800, Inc., dba Information & Telephone Services		Gold Tel Corporation

V. FINDINGS OF FACT

18 (1) The Washington Utilities and Transportation Commission is an agency of the state of Washington, vested by statute with authority to regulate rates, rules, regulations, practices, accounts, securities, and transfers of public service companies, including telecommunications companies.

² Complaint, at paragraphs 25 through 31.

- 19 (2) The following companies have filed requests to cease doing business: CoinTel, Inc.; Lawrence Smith, Inc.; Net.world, Inc.; Pacific Fiber Link, LLC; PNV.net, Inc.; Stellar Telecommunications Services, Inc.; U.S. Network Services, Inc.; Unicom, and Winstar Wireless, Inc. The Commission has allowed each of these requests to become effective as regular open meeting no action agenda items.
- 20 (3) The following companies have complied with their obligations to file annual reports and pay regulatory fees: DialTek, LLC; NeTel, Inc.; Metromedia Communications Corporation ; and U.S. South Communications, Inc.
- 21 (4) Each of the 110 companies listed above in Paragraph 17 failed to appear at the prehearing conference that was convened on July 15, 2002, pursuant to notice that was properly served to each party.

VI. CONCLUSIONS OF LAW

- 22 (1) The Washington Utilities and Transportation Commission has jurisdiction over the subject matter of this proceeding and all parties to this proceeding.
- 23 (2) Each of the companies listed above in Paragraph 17 above should be held in default. Any of those 110 companies that fail to respond to this Order by filing a written motion requesting that the order be vacated pursuant to RCW 34.05.440(3) should have its registration to conduct business in the state of Washington revoked.

VII. ORDER

ORDERS that:

- 24 Each of the 110 companies identified in paragraph 17 of this Order are held in default. Any of those 110 companies that fail to respond to this Order by filing a written motion within ten days requesting that the order be vacated pursuant to RCW 34.05.440(3) may have its registration to conduct business in the state of Washington revoked by a further order of the Commission.

Dated at Olympia, Washington, and effective this 31st day of July, 2002.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

LAWRENCE J. BERG
Administrative Law Judge

NOTICE TO THE PARTIES

The actions proposed in this Default Order are not effective until entry of a final order by the Utilities and Transportation Commission. If you disagree with this Default Order and want the Commission to consider your comments, you must take specific action within the time limits outlined below.

Pursuant to RCW 34.05.440(3), within ten (10) days after service of this Default Order, which is entered pursuant to RCW 34.05.440(2), any party against whom it is ordered may file a written motion that the order be vacated, and the moving party also must state the grounds relied upon.

If no written motion is timely filed, the Commission may enter a further order revoking the defaulting party's registration to conduct business in the state of Washington.

A written motion that the order be vacated must be hand-delivered to the Commission's Records Center or mailed to:

Attn: Carole J. Washburn, Secretary
Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia Washington 98504-7250.