

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND)	DOCKET UT-121721
TRANSPORTATION COMMISSION,)	
)	
Complainant,)	DECLARATION OF
)	MATHEW PERKINSON
v.)	
)	
COSPEED, LLC, CVC CLEC, LLC, GO)	
SOLO TECHNOLOGIES, INC.,)	
GRASSHOPPER GROUP, LLC, NET)	
TALK.COM, INC., NOWYR, INC., PELZER)	
COMMUNICATIONS CORPORATION,)	
PRICERIGHT COMMUNICATIONS, LLC,)	
PUGET SOUND)	
TELECOMMUNICATIONS, LLC d/b/a)	
PUGET SOUND TELECOM LLC,)	
TELEFONICA USA, INC., TELMEX USA,)	
L.L.C., VANCO US, LLC, VERTEX)	
TELECOM, INC.,)	
)	
Respondents.)	

Mathew Perkinson, under penalty of perjury under the laws of the State of Washington, declares as follows:

1. I am employed by the Washington Utilities and Transportation Commission (Commission) as a Compliance Investigator in the Consumer Protection and Communications Section. As a Compliance Investigator, my responsibilities include conducting investigations regarding the business practices of regulated utility or transportation companies. As part of those duties, I investigate telecommunications companies that may be operating in violation of one or more statutes or rules enforced by the Commission.
2. Regulated telecommunications companies must submit annual reports and file regulatory fees by May 1 of each year. Each year, the Commission distributes an annual report form and a regulatory fee form to facilitate these submissions.
3. On February 29, 2012, the Commission mailed an annual report packet to each registered telecommunications company at the address on file with the Commission. The packet contained an “annual report form” and a letter from the

Commission's Executive Director and Secretary, David Danner. The annual report form includes a regulatory fee calculation schedule and requires a company to attach other documents as well. A completed annual report form, with the necessary attachments, constitutes a company's annual report.

4. The letter from David Danner explained the annual report and regulatory fee submission requirements. In the letter, Mr. Danner instructed the regulated company to return the completed form and pay any regulatory fees by May 1, 2012. The letter further stated that, if the company failed to file a completed annual report and pay regulatory fees by May 1, 2012, the Commission would assess a financial penalty of \$100 for each business day after May 1 that the report was not filed and \$100 for each business day after May 1 the regulatory fees remained unpaid. Those companies wishing to request an extension to file the annual report were instructed in the letter to do so before April 24, 2012, and to provide a reason for the extension. In addition, the letter advised that Commission Staff would seek revocation of the authority of companies that failed to file an annual report or pay regulatory fees by June 1, 2012. A copy of the letter is attached as Attachment A.
5. On May 14, 2012, the Commission sent letters to those companies that had not yet filed their annual reports. The letter, signed by David Danner, informed the companies that, to date, they each had incurred a penalty of \$800. In the letter, Mr. Danner stated that companies who filed their annual reports no later than May 25, 2012, would receive mitigated penalties of \$25 per day. Conversely, the Commission would impose an additional \$25 per day for each instance in the previous five years that the company had received a penalty for filing a late report. A copy of the letter is attached as Attachment B.
6. In preparation for the annual revocation proceeding, I procured a list generated from the Commission's Annual Report Tracking System (ARTS) of telecommunications companies registered with the Commission that still had not filed an annual report or paid regulatory fees. As of October 25, 2012, the Commission had received neither the 2011 annual report nor the 2012 regulatory fees from the 13 telecommunications companies in the attached draft complaint.

DATED this 19th day of December, 2012, at Olympia, Washington.

MATHEW PERKINSON

Attachment A

February 29, 2012

Dear Regulated Company:

Reference: Your 2011 Annual Report and 2012 Regulatory Fees are due May 1

State law requires you to file an annual report and pay regulatory fees to the Washington Utilities and Transportation Commission (UTC).

What is required of you?

By May 1, you must:

- Complete and file one paper copy or electronic version of the enclosed 2011 annual report form
- Pay your 2012 regulatory fees

What happens if you do not file a completed annual report and pay regulatory fees on time?

If you do not file your company's completed annual report and pay the regulatory fees by May 1, the UTC will assess a financial penalty of \$100 for each business day after May 1 that the report is not filed and \$100 for each business day after May 1 the fees are unpaid. You may seek mitigation of the penalties in response to the assessment you receive, after you have filed a completed annual report and paid your regulatory fees. The amount of the penalties the UTC mitigates, if any, will depend on the reasons you were late and whether you have filed late in prior years. If you have not filed your completed annual report or paid your regulatory fees by June 1, 2012, Staff will initiate proceedings to have the UTC revoke your authority to operate in Washington.

What happens if you do not pay the regulatory fees by May 1?

If you do not pay your company's regulatory fees by May 1, you will incur a 2 percent penalty on the amount due and a 1 percent monthly interest charge on the unpaid balance. These amounts apply in addition to the assessment of a penalty of \$100 per business day after May 1 that the fees are unpaid.

May you request an extension of time if you are unable to file the annual report or pay your regulatory fees on time?

You may file a written request for an extension to file your completed annual report, but the UTC will not extend the deadline for paying regulatory fees. Any extension request must be filed with the UTC by April 24, 2012, and must state a valid reason for why you need an extension and identify a specific date by which you will file your completed annual report. The UTC will notify you by May 1 whether your request is approved or denied. Even if your request is approved, you will still be liable for penalties and interest payments if you fail to pay your regulatory fees by May 1.

What should you do if your company is no longer operating in Washington?

You may cancel your registration or permit by using the cancellation forms available on our website (see below), but if your company operated in Washington at any time during the 2011 calendar year, you must pay regulatory fees and file a closing annual report based on the months of operation during 2011 even if you cancel your registration or permit.

May you designate any information in your annual report as confidential?

Yes, but if you satisfy two conditions:

- (1) You are eligible to request confidential treatment only if your company is regulated under Title 80 RCW, that is, if you operate an electric, natural gas, telecommunications or water company. Transportation companies, regulated under Title 81 RCW, may not request confidential treatment of documents because the authority for such treatment is found only in RCW 80.04.095. If a Title 81 company files its annual report or fee sheet as confidential, the UTC will not treat it as confidential.
- (2) You must follow the steps for filing confidential documents in WAC 480-07-160. You may find this rule at the UTC website, www.utc.wa.gov/annual-reports.

Please note: The regulatory fee sheet portion of your report is not a confidential document and will not be accorded confidential treatment under the rule. The UTC will not, however, disclose credit card information you list on the fee sheet.

May you perform some of these tasks online?

Yes. You may complete the following tasks from the annual reports page at the UTC website www.utc.wa.gov/annualreports:

- Obtain electronic versions of annual report forms
- Pay regulatory fees
- File your report electronically
- Cancel your registration (telecommunications companies) or permit (transportation companies) if your company ceased operations in 2011.

Where do you mail the completed annual report form and regulatory fee payment?

Washington Utilities and Transportation Commission
PO Box 47250
Olympia, WA 98504-7250

Is there any additional information you should file?

- If you are a gas distribution company, please also file both a paper and electronic copy of your Federal Energy Regulatory Commission Form 2.
- If you are an electric company, please also file both a paper and electronic copy of your Federal Energy Regulatory Commission Form 1.
- If you are a class 1 Railroad, please also file a copy of your Surface Transportation Board Form R-1 - including statistics specific to the state of Washington.

If you have questions about any aspect of your report or regulatory fee, please contact Rae Lynn Carnes at (360) 664-1152 or rcarnes@utc.wa.gov.

If you need this letter or an annual report form in an alternate format, please call 360-664-1243. The TTY Toll-Free phone number is 1-800-416-5289.

Sincerely,

David W. Danner
Executive Director and Secretary

Enclosures

Attachment B

May 14, 2012

NOTICE OF ENFORCEMENT ACTION

Attention:

Your 2011 annual report to the Utilities and Transportation Commission (commission) was due on May 1, as required by law. Financial penalties of \$100 per day began accruing on May 2.

As of the date of this letter, you have accrued a penalty of \$800. That penalty will increase by \$100 per day for each subsequent day you fail to comply.

This letter tells you what you can do to mitigate your penalty.

If the commission receives your report **postmarked no later than May 25**, commission staff will mitigate your penalty to \$25 per day. Additional penalties of \$25 per day will be added for each year you have filed late in the past five years, up to a maximum of \$100 per day.

Annual report forms are available on the commission's website at www.utc.wa.gov. If you have questions or require additional information, please contact Mathew Perkinson, Compliance Investigator, at (360) 664-1105 or mperkinson@utc.wa.gov.

Sincerely,

David W. Danner
Executive Director and Secretary

Attachment C

Docket	Company
120966	CoSpeed, LLC
120968	CVC CLEC, LLC
120973	GO SOLO TECHNOLOGIES, INC.
120974	GRASSHOPPER GROUP, LLC
120989	NET TALK.COM, INC.
120993	NOWYR, INC.
120996	PELZER COMMUNICATIONS CORPORATION
120998	PRICERIGHT COMMUNICATIONS, LLC
121001	PUGET SOUND TELECOMMUNICATIONS, LLC DBA PUGET SOUND TELECOM, LLC
121013	TELEFONICA USA, INC.
121015	TELMEX USA, L.L.C.
121021	VANCO US, LLC
121022	VERTEX TELECOM, INC.