

[Service Date October 24, 2002]

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION  
COMMISSION

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION,

Petitioner,

v.

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

DOCKET NO. UT-010785

THIRD SUPPLEMENTAL ORDER;  
FINAL ORDER; RESCINDING  
REVOCATION OF REGISTRATION  
OF INTER-TELNETSOLUTIONS,  
INC.; VACATING DEFAULT ORDER,  
IN PART; AND DISMISSING  
COMPLAINT AGAINST INTER-TEL  
NETSOLUTIONS, INC.

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.;  
INTELCOM 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.; TELEMANAGEMENT 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.

- 1 On June 6, 2002, the Commission initiated action against 123 registered telecommunications companies – including Inter-Tel Netsolutions, Inc. (“Inter-Tel”) – for failure to pay regulatory fees and file annual reports. Commission Staff subsequently requested that certain companies be dismissed from the proceeding for either complying with regulatory requirements or voluntarily canceling their own registrations.
- 2 On August 2, 2002, Administrative Law Judge Lawrence J. Berg entered a Default Order proposing that the registration of the 110 companies identified in paragraph 17 of the order, including Inter-Tel, be revoked because of the failure to file annual reports and pay regulatory fees. The Default Order provided notice regarding statutory provisions allowing parties that disagreed to file a written motion requesting that the Default Order be vacated. The Default order was properly served on Inter-Tel, but the Commission had no record of a timely response from Inter-Tel.
- 3 On October 4, 2002, Commission Staff filed a motion to dismiss numerous parties in default that had fully complied with their obligations. Commission Staff argued that all other parties found to be in default – including Inter-Tel – should have their registration revoked.
- 4 On October 17, 2002, the Commission entered its Final Order vacating the Default Order against parties that had fully complied with their obligations to file reports and pay fees. Additionally, the parties identified in the Default Order as either having previously complied or having been allowed to cease doing business in Washington were dismissed from this proceeding. Finally, the Commission reviewed the Default Order, accepted its findings of fact and conclusions of law, and adopted the Default Order as its own for purposes of this proceeding. In accordance with RCW 34.05.440 and WAC 480-121-060, the Commission revoked the registration of each of the remaining 103 companies as a telecommunications company in the state of Washington.
- 5 On October 22, 2002, Commission Staff filed a petition to rescind the revocation of Inter-Tel’s registration. According to Commission Staff, Inter-Tel on August 7, 2001, timely filed an annual report and paid regulatory fees through October 16, 2002, as required by state statutes and Commission rules. Staff explains that it was an administrative error that led it to include Inter-Tel in the initial list of non-compliant companies.

6 The Commission finds that Inter-Tel was in compliance with state statutes and Commission rules at the time a complaint was filed in this proceeding, and that good cause exists to grant Commission Staff's petition.

**ORDER**

THE COMMISSION ORDERS That:

7 The Commission's revocation of the registration of Inter-Tel Netsolutions, Inc. in the Final Order entered October 17, 2002, is rescinded.

THE COMMISSION FURTHER ORDERS That:

8 The default entered against Inter-Tel on August 2, 2002, is vacated. Inter-Tel has complied with its obligation to file annual reports and pay regulatory fees, and is dismissed from this proceeding.

DATED at Olympia, Washington, and effective this \_\_\_\_ day of October, 2002.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

RICHARD HEMSTAD, Commissioner

PATRICK J. OSHIE, Commissioner

**NOTICE TO PARTIES: This is a final order of the Commission. In addition to judicial review, administrative relief may be available through a petition for reconsideration, filed within 10 days of the service of this order pursuant to RCW 34.05.470 and WAC 480-09-810, or a petition for rehearing pursuant to RCW 80.04.200 or RCW 81.04.200 and WAC 480-09-820(1).**