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BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION

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WASHINGTON UTILITIES AND ) DOCKET UT-101620  
TRANSPORTATION COMMISSION, ) VOLUME I  
) Pages 1-19  
Complainant, )  
v. )  
AMERICOM TECHNOLOGIES, INC., )  
ANDIAMO TELECOM, LLC, ASIA )  
TALK TELECOM, INC., )  
DIGITLINE EXPRESS, LLC, )  
ELITE TELNET, LLC, EMAN )  
NETWORKS, ETHOS )  
COMMUNICATIONS GROUP, INC., )  
NETWORK US, INC., NORSTAR )  
TELECOMMUNICATIONS, LLC, NW )  
TELECOM, LLC, ROYAL )  
COMMUNICATIONS, LLC, )  
SYMTELCO, LLC, TELENATIONAL )  
COMMUNICATIONS, INC., TELMEX )  
USA, LLC AND UNI-TEL )  
COMMUNICATIONS GROUP, INC., )  
Respondents. )

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This is the hearing, volume I in the above  
matter held on Wednesday, February 2, 2011, at 1300  
South Evergreen Park Drive Southwest, Olympia,  
Washington, before Administrative Law Judge ADAM TOREM.

The parties were present as follows:

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION,  
by Gregory J. Trautman, Assistant Attorney General,  
PO Box 40128, Olympia, Washington 98504-0128;  
telephone number is 360.664.1187.

Reported by: Judith A. Robinson, CCR No. 2171

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I N D E X

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P R O C E E D I N G S

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ALJ TOREM: We'll be on the record in Docket

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UT-101620.

5

This is the complaint for revocation of

6

registration of certain telecommunications companies for

7

failure to pay 2009 regulatory fees and file an annual

8

report for 2010.

9

This is Administrative Law Judge Adam Torem.

10

It's Wednesday, February 2nd, 2011, a little bit after

11

11:00 o'clock in the morning.

12

There are 15 companies on this docket, and I'll

13

take a listing of those shortly.

14

Let me have an entry and appearance form for

15

Commission staff and we'll go forward.

16

MR. TRAUTMAN: Thank you, your Honor.

17

Greg Trautman, Assistant Attorney General, for

18

Commission staff.

19

My address is 1400 South Evergreen Park Drive SW,

20

Post Office Box 40128, Olympia, Washington 98504.

21

My telephone number is 360-664-1187. Fax number

22

is 360-586-5522 and my e-mail is gtrautman@wutc.wa.gov.

23

ALJ TOREM: All right, thank you,

24

Mr. Trautman. Let me go down the list of companies that

25

are named and apparently have been served proper notice

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1 of today's hearing and see if any of them are on the  
2 bridge line.

3           Americom Technologies, Incorporated. Andiamo  
4 Telecom, LLC. Asia Talk Telecom, Incorporated.  
5 Digitline Express, LLC. Elite Telnet, LLC. EMAN  
6 Networks. Ethos Communications Group, Incorporated.  
7 Network US, Incorporated. Norstar Telecommunications,  
8 LLC. NW Telecom, LLC. Royal Communications, LLC.  
9 Symtelco, LLC. Telenational Communications, Inc.  
10 Telmex USA, LLC, and finally Uni-Tel Communications  
11 Group, Inc.

12           Are any of those companies or a representative on  
13 that line today?

14           All right. I don't hear any other appearances to  
15 take, so let's turn to the business of the proceeding  
16 today.

17           All right, Mr. Trautman?

18           MR. TRAUTMAN: Thank you, Your Honor. The  
19 Commission brought this complaint against 15  
20 telecommunications companies for failure to submit their  
21 2009 annual reports or pay 2010 regulatory fees.

22           Since the complaint was issued, six of the 15  
23 companies have come into compliance. They've filed the  
24 annual report and paid the regulatory fees. So staff  
25 will move to dismiss those companies from the complaint.

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1           Staff will also move to enter evidence concerning  
2 compliance -- lack of compliance of the other nine  
3 companies during the direct examination of Ms. Hoyt.

4           ALJ TOREM: All right.

5           MR. TRAUTMAN: And at this point, should I  
6 enter -- staff would also move to find those nine in  
7 default.

8           The nine companies that have not yet paid or  
9 filed their report under the authority of RCW 34.05.440  
10 and WAC 480-07450.

11           ALJ TOREM: All right. I've previewed the  
12 six exhibits you've given me. So I believe I understand  
13 those are the ones that have come into compliance?

14           MR. TRAUTMAN: Correct.

15           ALJ TOREM: And Ms. Hoyt's testimony will  
16 support that?

17           MR. TRAUTMAN: Yes.

18           ALJ TOREM: So with the remaining nine, let  
19 me read through again who will be held in default.

20           Americom Technologies Incorporated; Andiamo  
21 Telecom LLC; Asia Talk Telecom Incorporated; Digitline  
22 Express LLC; Elite TelNet LLC; Network US Incorporated;  
23 NW Telecom LLC; Symtelco LLC; and Uni-Tel Communications  
24 Group, Incorporated are the nine companies that have not  
25 come into compliance and also have not made an

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1 appearance today, and so those nine will be held in  
2 default.

3 That motion is granted.

4 Let me swear in Ms. Hoyt, and then we will get on  
5 with her testimony.

6 SHERI HOYT

7 \* \* \* \* \*

8 Having been first duly sworn  
9 on oath was examined  
and testified as follows:

10 ALJ TOREM: Mr. Trautman, you can proceed.

11 MR. TRAUTMAN: Thank you.

12 DIRECT EXAMINATION

13 BY MR. TRAUTMAN:

14 Q. Good morning, Ms. Hoyt.

15 A. Good morning.

16 Q. Who is your employer?

17 A. Utilities and Transportation Commission.

18 Q. What is your position with the Commission?

19 A. I am a consumer program specialist.

20 Q. How long have you held this position?

21 A. Since 2001.

22 Q. Would you please describe your duties, as they  
23 relate to this case?

24 A. I investigate regulated transportation and  
25 utility companies, as it relates to companies that have

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1 yet to file their annual reports.

2 Q. What statutes or rules do you understand to be at  
3 issue in this proceeding?

4 A. There are three:

5 RCW 80.04.080, which requires each public service  
6 company to file an annual report with the Commission.

7 RCW 80.24.010, which requires each public service  
8 company to pay an annual regulatory fee.

9 And WAC 480-120382, which requires competitive --  
10 competitively classified telecommunications companies to  
11 submit annual reports and pay regulatory fees to the  
12 Commission by May 1 of each year.

13 Q. Are you familiar with the companies named in this  
14 proceeding?

15 A. I am.

16 Q. Can you please describe, generally, how you are  
17 familiar with those companies?

18 A. The financial services staff provides me a list  
19 each year of the companies that have yet to file their  
20 annual reports, and I am responsible for contacting each  
21 company by mail to inform them that they are delinquent  
22 and to attempt to get them to file the report.

23 I then recommended penalties be issued for those  
24 that are late filed, and finally, we get to this process  
25 where I recommend based upon my investigation, that

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1 companies permits be cancelled or revoked for failure to  
2 file.

3 Q. Have any of the companies named in the complaint  
4 filed annual reports or paid regulatory fees since they  
5 Commission filed the complaint?

6 A. Yes, there are six companies that have come into  
7 compliance.

8 Q. How did you determine that those filings were  
9 made?

10 A. I checked the Commission annual report tracking  
11 system or ARTS and each company is registering as  
12 completed.

13 Q. When was the last time that you checked ARTS or  
14 A-R-T-S?

15 A. At 9:40 this morning.

16 Q. Regarding service, was the complaint mailed out  
17 to each company via certified mail and first class mail?

18 A. It was.

19 Q. And was it sent to the addresses on record with  
20 the Commission?

21 A. They were.

22 Q. Were any of the certified mailings returned as  
23 undelivered?

24 A. We did receive some as undelivered and we  
25 received some as unclaimed.



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1 Q. And can you elaborate on that?

2 A. Yes. Americom Technologies, Incorporated, we  
3 received no signed, certified or returned mail. Nothing  
4 came back.

5 The penalty that was issued or a penalty that was  
6 issued in June of 2010 was sent to the same address and  
7 the company did sign for it in July and then that  
8 penalty was subsequently paid for.

9 So we have a good assumption that is the  
10 company's true and correct address.

11 Asia Talk Telecom, Incorporated, we did receive  
12 their certified mail envelope back marked unclaimed.

13 On January 31st, I contacted the company's phone  
14 number on file with the Commission and the number is no  
15 longer in service.

16 I also checked the company's website and that is  
17 no longer a valid website.

18 For Elite TelNet, LLC, we did receive their first  
19 class mail back stamped, return to sender, not  
20 deliverable as addressed, unable to forward.

21 We did not receive the certified envelope back.

22 On November 29th, I called the company's phone  
23 number that was listed on the company's 2009  
24 registration application for Jerry Cody, the regulatory  
25 contact and managing director for the company.

0010

1           The phone number has been disconnected. Their  
2 website referenced on the company's registration  
3 application is also no longer in existence.

4           For Symtelco, LLC, stamped, return to sender, not  
5 deliverable as addressed, unable to forward.

6           On January 31st, I contact -- attempted to  
7 contact the company's phone number on file with the  
8 Commission. Both its long distance number and toll-free  
9 number, neither are in service. Although its website is  
10 still.

11           Handwritten on the envelope that we received back  
12 was the words, "Out of Business."

13       Q. And as to all the other companies that you did  
14 not mention, did they all certify that they received the  
15 copy of the complaints?

16       A. Yes. We received signed, certified cards for  
17 Andiamo Telecom, LLC, Digitline Express, LLC, Network  
18 US, Incorporated and NW Telecom, LLC. Oh, and Uni-Tel  
19 Communication Groups, Inc. as well.

20       Q. Now, I'll ask you some questions about the  
21 individual companies, starting with American  
22 Technologies, Inc.

23           Was that one of the companies mentioned on the  
24 complaint?

25       A. Yes.

0011

1 Q. Has American Technologies, Inc. filed a 2009  
2 annual report or paid a 2010 regulatory fee?

3 A. It has not.

4 Q. What is staff's recommendation to the commission  
5 concerning this company?

6 A. Staff recommends that its registration be  
7 revoked.

8 Q. Did Andiamo Telecom, LLC file a 2009 annual  
9 report or pay a 2010 regulatory fee?

10 A. It did not.

11 Q. What is staff's recommendation concerning this  
12 company?

13 A. Staff recommends that the company's registration  
14 be revoked.

15 Q. Did Asia Talk Telecom, Inc. file a 2009 annual  
16 report or pay a 2010 regulatory fee?

17 A. It did not.

18 Q. What is staff's recommendation concerning that  
19 company?

20 A. Staff recommends the company's registration be  
21 revoked.

22 Q. Did Digitline Express, LLC file a 2009 annual  
23 report or pay a 2010 regulatory fee?

24 A. It did not.

25 Q. What is staff's recommendation concerning that

0012

1 company?

2 A. Staff recommends the company's registration be  
3 revoked.

4 Q. Has Elite Telnet, LLC filed a 2009 annual report  
5 or paid a 2010 regulatory fee?

6 A. It has not.

7 Q. What is staff's recommendation concerning that  
8 company?

9 A. Staff recommends that the company's registration  
10 be revoked.

11 Q. Has EMAN Networks paid -- filed a 2009 annual  
12 report or paid a 2010 regulatory fee?

13 A. Yes, it did. The Commission received the  
14 company's annual report and entered it into the computer  
15 on December 15th, 2010.

16 The company also remitted its annual -- or its  
17 regulatory fee plus late fees and interest of \$573.74.

18 Q. Do you have what has been marked as Exhibit 1?

19 A. I do.

20 Q. And is this a true and correct copy of the annual  
21 report of EMAN Networks, together with the regulatory  
22 fee calculation schedule?

23 A. It is.

24 Q. Has Ethos Communications Group, Inc., filed a  
25 2009 annual report or paid a 2010 regulatory fee?

0013

1           A.  Yes.  It was received and entered into the  
2 computer on January 5 of 2011.  The company remitted no  
3 annual regulatory fee, as none was due.

4           Q.  Turning to what's been marked as Exhibit 2, is  
5 this a true and correct copy of Ethos Communications  
6 Group, Inc.'s annual report and regulatory fee  
7 calculation schedule?

8           A.  Yes.

9           Q.  Did Network US, Inc. file a 2009 annual report or  
10 pay a 2010 regulatory fee?

11          A.  It did not.

12          Q.  What is staff's recommendation concerning this  
13 company?

14          A.  Staff recommends that the Commission cancel the  
15 company's registration -- revoke the registration,  
16 pardon me.

17          Q.  Has Norstar Telecommunications, LLC filed a 2009  
18 annual report or paid a 2010 regulatory fee?

19          A.  It has.  It was received and entered into the  
20 computer on November 30, 2010.

21                 The company did not remit regulatory fees, as  
22 none were due.

23          Q.  Turning to what has been marked as Exhibit 3, is  
24 this a true and correct copy of Norstar  
25 Telecommunications, LLC annual report and regulatory fee

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1 calculation schedule?

2 A. It is.

3 Q. Did NW Telecom, LLC file a 2009 annual report or  
4 pay a 2010 regulatory fee?

5 A. It did not.

6 Q. What is staff's recommendation concerning this  
7 company?

8 A. Staff recommends that the Commission revoke the  
9 company's registration.

10 Q. Has Royal Communications, LLC filed a 2009 annual  
11 report or paid a 2010 regulatory fee?

12 A. It has. It was received and entered into the  
13 computer on December 7, 2010.

14 The company did not remit a regulatory fee, as  
15 none was due.

16 Q. Turning to what has been marked as Exhibit 4, is  
17 this a true and correct company of Royal Communications,  
18 LLC's annual report and regulatory fee calculation  
19 schedule?

20 A. It is.

21 Q. Has Symtelco, LLC filed a 2009 annual report or  
22 paid a 2010 regulatory fee?

23 A. It has not.

24 Q. What is staff's recommendation concerning that  
25 company?

0015

1 A. Staff recommends its registration be revoked.

2 Q. Has Telenational Communications, Inc., LLC filed  
3 a 2009 annual report or paid a 2010 regulatory fee?

4 A. It has. It was received and entered into the  
5 computer on December 17, 2010. It did not remit  
6 regulatory fees, as none were due.

7 Q. Turning to what's been marked as Exhibit 5, is  
8 this a true and correct copy of telecommunications --  
9 Telenational Communications, Inc.'s annual report and  
10 regulatory fee calculation schedule?

11 A. It is.

12 Q. Has Telmex USA, LLC filed a 2009 annual report or  
13 paid a 2010 regulatory fee?

14 A. It has. It was received and entered into the  
15 computer on January 5 of 2011. Did not remit annual  
16 report regulatory fees, as none were due.

17 Q. Is Exhibit -- Exhibit 6, is that a true and  
18 correct copy of Telmex USA, LLC's annual report and  
19 regulatory fee calculation schedule?

20 A. It is.

21 Q. Did Uni-Tel Communications Group, Inc., file a  
22 2009 annual report or pay a 2009 regulatory.

23 A. It did not.

24 Q. What is staff's recommendation concerning this  
25 company?

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1 A. Staff recommends the registration be revoked.

2 Q. And as to the six companies that you previously  
3 mentioned, EMAN Networks, Ethos Communications Group,  
4 Norstar Telecommunications, Royal Communications,  
5 Telenational Communications and Telmex USA, what are  
6 staff's recommendations?

7 A. Staff recommends that their registrations not be  
8 revoked.

9 Q. And that the complaint be dismissed?

10 A. And that the complaint be dismissed.

11 MR. TRAUTMAN: Thank you.

12 Your Honor, staff would move for admission  
13 of Exhibits 1 through 6.

14 ALJ TOREM: That's granted. Those will be  
15 admitted.

16 (Exhibit Nos. 1 through 6 admitted.)

17 ALJ TOREM: Now, if I understand Ms. Hoyt's  
18 testimony and the request there, is there a motion to  
19 dismiss the complaint against those six companies that  
20 are contained and explained in Exhibits 1 through 6 and  
21 that motion will also be granted at this time.

22 Is there any other evidence to put on the  
23 record in this matter?

24 MR. TRAUTMAN: No, Your Honor.

25 ALJ TOREM: All right. Then you can expect



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1 that I will be issuing an initial order in this docket,  
2 reiterating that nine companies that were held in  
3 default today for failing to appear, six companies who  
4 have come into compliance will have their complaint  
5 dismissed against them.

6 And it would appear that their record  
7 supports staff's request to hold the other companies,  
8 not only in default, but also to revoke their  
9 telecommunications revocation or license to do business  
10 here in the State of Washington and those registrations  
11 will be revoked.

12 Anything else?

13 MR. TRAUTMAN: No, Your Honor.

14 ALJ TOREM: All right, then at 11:25, we are  
15 adjourned.

16 (The hearing proceeding was concluded at  
17 11:25 a.m.)

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1 C E R T I F I C A T E

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3 STATE OF WASHINGTON )

4 COUNTY OF KING )

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7 I, the undersigned Washington Certified Court Reporter,  
8 pursuant to RCW 5.28.010 authorized to administer oaths  
9 and affirmations in and for the State of Washington, do  
10 hereby certify:

9

10 That the annexed and foregoing hearing containing  
11 Page 1 through 17 of each witness named herein was taken  
12 stenographically before me and reduced to typewriting  
13 under my direction.

14 I further certify that each said witness examined, read  
15 and signed his/her hearing after the same was  
16 transcribed unless indicated in the record that the  
17 parties and each witness waived the signing.

14

15 I further certify that all objections made at the time  
16 of said examination to my qualifications or the manner  
17 of taking each hearing, or to the conduct of any party  
18 have been noted by me upon each hearing.  
19 I further certify that I am not a relative or an  
20 employee or attorney or Counsel of any of the parties to  
21 said action, or a relative or employee of any such  
22 attorney or Counsel, and  
23 that I am not financially interested in the said action  
24 or the outcome thereof.

25 I further certify that each witness before examination  
was by me duly sworn to testify the truth, the whole  
truth and nothing but the truth.

I further certify that the hearing, as transcribed is a  
full, true and correct transcript of the testimony,  
including questions and answers, and all objections,  
motions and exceptions of Counsel made and taken at the  
time of the foregoing examination and was prepared  
pursuant to Washington Administrative Code 308-14-135,  
the transcript preparation format guideline.

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1 I further certify that I am sealing the hearing in an  
2 envelope with the title of the above-referenced cause  
3 thereon and marked "Hearing" with the name of each  
4 witness and promptly delivering the same to the  
5 appropriate party or parties.

4

5 IN WITNESS WHEREOF, I have hereunto set my hand  
6 and affixed my Washington State CCR Seal this \_\_\_\_\_ day  
7 of \_\_\_\_\_, 2011.

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Washington State Certified Court Reporter  
CCR No. 2171  
License effective until: 11/4/12.  
Residing at Federal Way, Washington

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Official Transcript