

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

ANGEL AMERICAS, LLC; CLEAR
WORLD COMMUNICATIONS
CORPORATION; COAST
INTERNATIONAL, INC.;
CONTINENTAL TELEPHONE, LLC;
HAMR COMMUNICATIONS, LLC;
LOCUS TELECOMMUNICATIONS,
INC.; PACIFIC TELECOM
COMMUNICATIONS GROUP; PEND
OREILLE VALLEY NETWORK, INC.;
TELENATIONAL
COMMUNICATIONS, INC.; TOTAL
CALL INTERNATIONAL, INC.;
WASHINGTON TELCO, LLC; WDT
WORLD DISCOUNT
TELECOMMUNICATIONS, CO.,

Respondents.

DOCKET UT-161082

COMPLAINT FOR REVOCATION OF
REGISTRATION FOR FAILURE TO
PAY REGULATORY FEES AND
FAILURE TO FILE ANNUAL
REPORT; and

NOTICE OF HEARING
(Set for November 9, 2016,
at 10 a.m.)

- 1 **Synopsis:** *The Commission seeks revocation of the registrations of telecommunications companies that have failed to pay regulatory fees as required by RCW 80.24.010 and failed to file an annual report as required by RCW 80.04.080.*
- 2 **Proceedings:** Telecommunications companies registered with the Washington Utilities and Transportation Commission (“Commission”) must file annual reports setting forth company operations during the preceding year. In addition, these telecommunications companies must pay annual regulatory fees to the Commission. Annual reports and regulatory fees are due on or before May 1.
- 3 Each year, in advance of this deadline, the Commission distributes annual report forms to all registered telecommunications companies. Incorporated into the annual report form is

a regulatory fee calculation schedule, which provides companies with step-by-step assistance in calculating their regulatory fees.

4 On February 29, 2016, the Commission mailed an annual report form to the address on record with the Commission for each registered telecommunications company, including: Angel Americas, LLC; Clear World Communications Corporation; Coast International, Inc.; Continental Telephone, LLC; Hamr Communications, LLC; Locus Telecommunications, Inc.; Pacific Telecom Communications Group; Pend Oreille Valley Network, Inc.; Telenational Communications, Inc.; Total Call International, Inc.; Washington Telco, LLC; and, WDT World Discount Telecommunications, Co. (collectively “the Companies”). A search of Commission records indicates that all but one of these Companies failed to file a complete annual report and all of the Companies failed to remit a regulatory fee.¹ Accordingly, Commission Staff (“Staff”)² asks the Commission to issue this Complaint seeking revocation of each respondent company’s registration for violation of the reporting and regulatory fee requirements of RCW 80.24.010, RCW 80.04.080, and WAC 480-120-382.

I. COMPLAINT

5 The Commission on its own motion, and through its Staff, alleges as follows:

6 Every telecommunications company is a public service company. RCW 80.04.010.

7 Every public service company is required to file an annual report with the Commission. RCW 80.04.080.

8 Every public service company subject to regulation by the Commission must pay an annual regulatory fee. RCW 80.24.010.

9 The Commission is authorized and empowered to issue rules and regulations governing telecommunications companies and other public service companies. RCW 80.04.160.

10 Every telecommunications company must pay an annual regulatory fee equal to one-tenth of one-percent of the first fifty thousand dollars of gross intrastate operating revenue plus two-tenths of one percent of any gross intrastate operating revenue in excess of fifty thousand dollars. WAC 480-120-382 (competitively classified companies); WAC 480-120-385 (companies not classified as competitive). No telecommunications company may pay less than the minimum regulatory fee of one hundred and fifty dollars.

¹ Staff received an incomplete annual report from Pend Oreille Valley Network, Inc., and a completed annual report from WDT World Discount Telecommunications, Co.

² In formal proceedings, such as this, the Commission’s regulatory Staff participates like any other party, while the Commissioners make the decision. To assure fairness, the Commissioners, the presiding administrative law judge, and the Commissioners’ policy and accounting advisors do not discuss the merits of this proceeding with the regulatory Staff, or any other party, without giving notice and opportunity for all parties to participate. *See* RCW 34.05.455.

WAC 480-120-382 (competitively classified companies); WAC 480-120-385 (companies not classified as competitive).

- 11 All telecommunications companies must file annual reports and pay regulatory fees by May 1. WAC 480-120-382 (competitively classified companies); WAC 480-120-385 (companies not classified as competitive). The deadline in 2016 was May 2 because May 1 was a Sunday.³
- 12 The Commission may revoke the registration of a telecommunications company for failure to file an annual report or pay regulatory fees. WAC 480-121-060.
- 13 Staff conducted its yearly compliance review of annual report and regulatory fee filings for telecommunications companies registered with the Commission. This review generated a list of companies that had failed to pay regulatory fees or failed to submit annual reports (or complete annual reports). Those companies that still have not paid regulatory fees or filed annual reports (or complete annual reports) are named as respondents in this complaint.
- 14 Angel Americas, LLC (“Angel Americas”) is a public service company as defined in RCW 80.04.010. Angel Americas is registered under RCW 80.36 and WAC 480-121 to provide telecommunications services in the state of Washington. From the Commission’s files and records, it appears that Angel Americas has failed to pay the required regulatory fees and file the annual report due on May 2, 2016.
- 15 Clear World Communications Corporation (“Clear World”) is a public service company as defined in RCW 80.04.010. Clear World is registered under RCW 80.36 and WAC 480-121 to provide telecommunications services in the state of Washington. From the Commission’s files and records, it appears that Clear World has failed to pay the required regulatory fees and file the annual report due on May 2, 2016.
- 16 Coastal International, Inc. (“Coastal International”) is a public service company as defined in RCW 80.04.010. Coastal International is registered under RCW 80.36 and WAC 480-121 to provide telecommunications services in the state of Washington. From the Commission’s files and records, it appears that Coastal International has failed to pay the required regulatory fees and file the annual report due on May 2, 2016.
- 17 Continental Telephone, LLC (“Continental”) is a public service company as defined in RCW 80.04.010. Continental is registered under RCW 80.36 and WAC 480-121 to provide telecommunications services in the state of Washington. From the Commission’s

³ Commission offices are not open to the public on Sundays. *See* WAC 480-07-120. When a deadline for doing an act governed by Commission rules falls on an official state holiday, Saturday, or Sunday, the deadline runs until the next day that is not an official state holiday, Saturday, or Sunday. WAC 480-07-130.

files and records, it appears that Continental has failed to pay the required regulatory fees and file the annual report due on May 2, 2016.

- 18 Hamr Communications, LLC (“Hamr”) is a public service company as defined in RCW 80.04.010. Hamr is registered under RCW 80.36 and WAC 480-121 to provide telecommunications services in the state of Washington. From the Commission’s files and records, it appears that Hamr has failed to pay the required regulatory fees and file the annual report due on May 2, 2016.
- 19 Locus Telecommunications, Inc. (“Locus”) is a public service company as defined in RCW 80.04.010. Locus is registered under RCW 80.36 and WAC 480-121 to provide telecommunications services in the state of Washington. From the Commission’s files and records, it appears that Locus has failed to pay the required regulatory fees and file the annual report due on May 2, 2016.
- 20 Pacific Telecom Communications Group (“Pacific Telecom”) is a public service company as defined in RCW 80.04.010. Pacific Telecom is registered under RCW 80.36 and WAC 480-121 to provide telecommunications services in the state of Washington. From the Commission’s files and records, it appears that Pacific Telecom has failed to pay the required regulatory fees and file the annual report due on May 2, 2016.
- 21 Pend Oreille Valley Network, Inc. (“Pend Oreille”) is a public service company as defined in RCW 80.04.010. Pend Oreille is registered under RCW 80.36 and WAC 480-121 to provide telecommunications services in the state of Washington. From the Commission’s files and records, it appears that Pend Oreille has failed to file a complete annual report due on May 2, 2016.
- 22 Telenational Communications, Inc. (“Telenational”) is a public service company as defined in RCW 80.04.010. Telenational is registered under RCW 80.36 and WAC 480-121 to provide telecommunications services in the state of Washington. From the Commission’s files and records, it appears that Telenational has failed to pay the required regulatory fees and file the annual report due on May 2, 2016.
- 23 Total Call International, Inc. (“Total Call”) is a public service company as defined in RCW 80.04.010. Total Call is registered under RCW 80.36 and WAC 480-121 to provide telecommunications services in the state of Washington. From the Commission’s files and records, it appears that Total Call has failed to pay the required regulatory fees and file the annual report due on May 2, 2016.
- 24 Washington Telco, LLC (“Washington Telco”) is a public service company as defined in RCW 80.04.010. Washington Telco is registered under RCW 80.36 and WAC 480-121 to provide telecommunications services in the state of Washington. From the Commission’s files and records, it appears that Washington Telco has failed to pay the required regulatory fees and file the annual report due on May 2, 2016.

- 25 WDT World Discount Telecommunications, Co. (“WDT”) is a public service company as defined in RCW 80.04.010. WDT is registered under RCW 80.36 and WAC 480-121 to provide telecommunications services in the state of Washington. From the Commission’s files and records, it appears that WDT filed the annual report due on May 2, 2016, but has failed to pay the required regulatory fees due on May 2, 2016.
- 26 In sum, eleven of the Companies have failed to remit regulatory fees, and eleven have failed to file annual reports (or complete annual reports).

II. REQUEST FOR RELIEF

- 27 Staff asks the Commission to find that the Companies failed to comply with RCW 80.24.010, RCW 80.04.080, and WAC 480-120-382 by failing to pay regulatory fees or file annual reports (or complete annual reports).
- 28 Staff requests that the Commission, pursuant to its authority in WAC 480-121-060, revoke the registrations of the Companies.

III. PROBABLE CAUSE

- 29 Based on a review of Commission Staff’s investigation report of Commission records pertaining to the submission of annual reports and regulatory fees by telecommunications companies, and consistent with RCW 80.01.060 and WAC 480-07-307, the Commission finds probable cause exists to issue this Complaint.

IV. NOTICE OF HEARING

- 30 **THE COMMISSION GIVES NOTICE that it will conduct a hearing in this matter on Wednesday, November 9, 2016, at 10 a.m., in Room 206, Second Floor, Richard Hemstad Building, 1300 S. Evergreen Park Drive S.W., Olympia, Washington.** If you are unable to attend the hearing in person, you may attend via the Commission’s teleconference bridge line at **360-664-3846**. Please appear on the teleconference bridge five minutes before the conference is scheduled to begin.
- 31 The Commission will hear this matter under the Administrative Procedure Act, Chapter RCW 34.05,⁴ and pursuant to the Commission’s procedural rules in Chapter WAC 480-

⁴ Applicable sections include but are not limited to RCW 34.05.413, RCW 34.05.422, RCW 34.05.434, RCW 34.05.440, RCW 34.05.449, and RCW 34.05.452.

07.⁵ The Commission has jurisdiction over this matter pursuant to Chapters RCW 80.01, RCW 80.04, RCW 80.24,⁶ and under Chapters WAC 480-120 and WAC 480-121.⁷

32 **THE COMMISSION GIVES FURTHER NOTICE that any party who fails to attend or participate in the hearing set by this notice, or any other stage of this proceeding, may be held in default in accordance with RCW 34.05.440 and WAC 480-07-450.**

33 If any party or witness needs an interpreter or other assistance, please fill out the form attached to this notice and return it to the Commission.

34 The names and mailing addresses of all known parties and their known representatives are as follows:

Complainant: Washington Utilities and
Transportation Commission
1300 S. Evergreen Park Drive S.W.
PO Box 47250
Olympia, WA 98504-7250

Representative: Andrew J. O’Connell
Assistant Attorney General
1400 S. Evergreen Park Drive S.W.
P.O. Box 40128
Olympia, WA 98504-0128
(360) 664-1192

Respondent: Angel Americas, Inc.
913 3RD Avenue, 11th Floor
New York, NY 10022

Respondent: Clear World Communications Corporation
2901 W. MacArthur Blvd, Suite 204
Santa Ana, CA 92704

⁵ Applicable sections include but are not limited to WAC 480-07-145, WAC 480-07-150, WAC 480-07-305, WAC 480-07-440, WAC 480-07-450, WAC 480-07-470, WAC 480-07-490, and WAC 480-07-495.

⁶ Applicable sections include but are not limited to RCW 80.01.040, RCW 80.04.80, RCW 80.04.110, RCW 80.04.160, RCW 80.04.470, and RCW 80.24.010.

⁷ Applicable sections include but are not limited to WAC 480-120-011, WAC 480-120-382, WAC 480-120-385, and WAC 480-121-060.

Respondent: Coastal International, Inc.
14303 West 95th Street
Lenexa, KS 66215

Respondent: Continental Telephone, LLC
Box 8702
Wilmington, DE 19899

Respondent: Hamr Communications, LLC
4247 42nd Ave. SW, Unit 300
Seattle, WA 98116

Respondent: Locus Telecommunications, Inc.
2200 Fletcher Avenue, Suite 600
Fort Lee, NJ 07024

Respondent: Pacific Telecom Communications Group
12228 Venice Blvd, Suite 559
Los Angeles, CA 90066

Respondent: Pend Oreille Valley Network, Inc.
108 S. Washington Avenue
Newport, WA 99156

Respondent: Telenational Communications, Inc.
2030 Powers Ferry Rd. SE, Suite 200
Atlanta, GA 30339

Respondent: Total Call International, Inc.
1411 W. 190th St., Suite 650
Gardena, CA 90248-4378

Respondent: Washington Telco, LLC
3201 W Nobb Hill Blvd
Yakima, WA 98902

Respondent: WDT World Discount Telecommunications, Co.
13644 Neutron Road
Dallas, TX 75244

35 The Commission appoints Rayne Pearson as the Administrative Law Judge to preside in this matter.

36 The Commission will provide notice of any other procedural phase as the Commission may deem appropriate during the course of this proceeding.

DATED at Olympia, Washington, and effective October 5, 2016.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

GREGORY J. KOPTA
Director, Administrative Law Division

Inquiries may be addressed to:

Executive Director and Secretary
Washington Utilities and
Transportation Commission
Richard Hemstad Building
1300 S. Evergreen Park Drive S.W.
P. O. Box 47250
Olympia, WA 98504-7250
(360) 664-1160

NOTICE

PLEASE NOTE: The hearing facilities are accessible to interested people with disabilities; that smoking is prohibited; and, if limited English-speaking or hearing-impaired parties or witnesses are involved in a hearing and need an interpreter, a qualified interpreter will be appointed at no cost to the party or witness.

The information needed to provide an appropriate interpreter or other assistance should be stated below and returned to Washington Utilities and Transportation Commission, Attention: Steven V. King, 1300 S. Evergreen Park Drive SW, P.O. Box 47250, Olympia, WA 98504-7250. (PLEASE SUPPLY ALL REQUESTED INFORMATION)

Docket: _____

Case Name: _____

Hearing Date: _____ Hearing Location: _____

Primary Language: _____

Hearing Impaired: (Yes) _____ (No) _____

Do you need a certified sign language interpreter?

Visual _____ Tactile _____

Other type of assistance needed: _____

English-speaking person who can be contacted if there are questions:

Name: _____

Address: _____

Phone No.: (_____) _____