

[Service Date September 22, 2011]

**BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION,

Complainant,

v.

AFFORDABLE VOICE  
COMMUNICATIONS, INC.,  
AMERICAN CYBER CORPORATION  
d/b/a DISCOUNT PLUS, AMERICAN  
DIAL TONE, INC., AMERICAN FIBER  
NETWORK, INC., ATLAS NETWORKS,  
LLC, BLC MANAGEMENT LLC d/b/a  
ANGLES COMMUNICATIONS  
SOLUTIONS, CENTEL  
COMMUNICATIONS, INC., COLEMAN  
ENTERPRISES, INC. d/b/a LOCAL  
LONG DISTANCE, DEVINE  
COMMUNICATIONS,  
INCORPORATED, ENTELEGENT  
SOLUTIONS, INC., GROUP SIX  
COMMUNICATIONS, LIFECONNEX  
TELECOM, LLC, PACIFIC TELECOM  
COMMUNICATIONS GROUP d/b/a  
PACIFIC TELECOMMUNICATIONS  
GROUP, INC., QX TELECOM LLC,  
ROYAL COMMUNICATIONS, LLC,  
SELECTEL, INC., TELEDATA  
SOLUTIONS, INC. d/b/a TSI, TRIARCH  
MARKETING, INC., TTC  
TELECOMUNICATIONS, LLC,

Respondents.

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) DOCKET UT-111529  
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) COMPLAINT FOR REVOCATION  
) OF REGISTRATION FOR FAILURE  
) TO PAY REGULATORY FEES AND  
) FAILURE TO FILE ANNUAL  
) REPORT; and  
)  
) NOTICE OF HEARING  
) **(Set for December 5, 2011,**  
) **At 9:30 a.m.)**

1 **Synopsis:** *The Commission seeks revocation of the registrations of d/b/a 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 operating in Washington state are required to file annual reports setting forth company operations during the preceding year. In addition, these telecommunications companies must pay annual regulatory fees to the Washington Utilities and Transportation Commission (Commission). Annual reports and regulatory fees are due on or before May 1.

3 The staff of the Commission (Staff)<sup>1</sup> sends annual report forms in the spring to all telecommunications companies registered with the Commission. Accordingly, Staff mailed a forms packet to the address on record with the Commission for each registered company, including the companies named in this complaint (Companies). A search of Commission records indicates that the Companies did not comply with requirements for paying the annual regulatory fee and reporting requirements. Consequently, Staff asks the Commission to issue this complaint seeking revocation of each Company's registration for failure to pay regulatory fees or file an annual report.

## I. COMPLAINT

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

5 Every public service company operating in Washington state is required to file an annual report that sets forth the company's operations during the preceding year. RCW 80.04.080.

6 In addition, every public service company subject to regulation by the Commission must pay a regulatory fee each year on or before the date specified by the Commission. RCW 80.24.010.

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<sup>1</sup> 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.

- 7 The term “public service company” includes every telecommunications company.  
RCW 80.04.010.
- 8 Commission rules require all telecommunications companies to 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).
- 9 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.
- 10 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 for 2011 or  
failed to submit annual reports for 2010. Since then, a number of companies have  
come into compliance. Those companies that still have not paid 2011 regulatory fees  
or filed 2010 annual reports are named as respondents in this complaint.
- 11 Affordable Voice Communications, Inc. (Affordable Voice) is a public service  
company as defined in RCW 80.04.010. Affordable Voice provides  
telecommunications services in the state of Washington for compensation and is  
registered under RCW 80.36 and WAC 480-121. From the Commission’s files and  
records, it appears that Affordable Voice failed to pay the required regulatory fees and  
file its annual report due on May 1, 2011.
- 12 American Cyber Corporation d/b/a Discount Plus (Discount Plus) is a public service  
company as defined in RCW 80.04.010. Discount Plus provides telecommunications  
services in the state of Washington for compensation and is registered under RCW  
80.36 and WAC 480-121. From the Commission’s files and records, it appears that  
Discount Plus failed to pay the required regulatory fees and file its annual report due  
on May 1, 2011.
- 13 American Dial Tone, Inc. (American Dial Tone) is a public service company as  
defined in RCW 80.04.010. American Dial Tone provides telecommunications  
services in the state of Washington for compensation and is registered under RCW  
80.36 and WAC 480-121. From the Commission’s files and records, it appears that  
American Dial Tone failed to pay the required regulatory fees and file its annual  
report due on May 1, 2011.

- 14 American Fiber Network, Inc. (American Fiber Network) is a public service company as defined in RCW 80.04.010. American Fiber Network provides telecommunications services in the state of Washington for compensation and is registered under RCW 80.36 and WAC 480-121. From the Commission's files and records, it appears that American Fiber Network failed to pay the required regulatory fees and file its annual report due on May 1, 2011.
- 15 Atlas Networks, LLC (Atlas) is a public service company as defined in RCW 80.04.010. Atlas provides telecommunications services in the state of Washington for compensation and is registered under RCW 80.36 and WAC 480-121. From the Commission's files and records, it appears that Atlas failed to pay the required regulatory fees and file its annual report due on May 1, 2011.
- 16 BLC Management LLC d/b/a Angles Communications Solutions (Angles) is a public service company as defined in RCW 80.04.010. Angles provides telecommunications services in the state of Washington for compensation and is registered under RCW 80.36 and WAC 480-121. From the Commission's files and records, it appears that Angles failed to pay the required regulatory fees and file its annual report due on May 1, 2011.
- 17 Centel Communications, Inc. (Centel) is a public service company as defined in RCW 80.04.010. Centel provides telecommunications services in the state of Washington for compensation and is registered under RCW 80.36 and WAC 480-121. From the Commission's files and records, it appears that Centel failed to pay the required regulatory fees and file its annual report due on May 1, 2011.
- 18 Coleman Enterprises, Inc. d/b/a Local Long Distance (Local Long Distance) is a public service company as defined in RCW 80.04.010. Local Long Distance provides telecommunications services in the state of Washington for compensation and is registered under RCW 80.36 and WAC 480-121. From the Commission's files and records, it appears that Local Long Distance failed to pay the required regulatory fees and file its annual report due on May 1, 2011.
- 19 Devine Communications, Incorporated (Devine) is a public service company as defined in RCW 80.04.010. Devine provides telecommunications services in the state of Washington for compensation and is registered under RCW 80.36 and WAC 480-

121. From the Commission's files and records, it appears that Devine failed to pay the required regulatory fees and file its annual report due on May 1, 2011.

- 20 Entelegent Solutions, Inc. (Entelegent) is a public service company as defined in RCW 80.04.010. Entelegent provides telecommunications services in the state of Washington for compensation and is registered under RCW 80.36 and WAC 480-121. From the Commission's files and records, it appears that Entelegent failed to pay the required regulatory fees and file its annual report due on May 1, 2011.
- 21 Group Six Communications (Group Six) is a public service company as defined in RCW 80.04.010. Group Six provides telecommunications services in the state of Washington for compensation and is registered under RCW 80.36 and WAC 480-121. From the Commission's files and records, it appears that Group Six failed to pay the required regulatory fees and file its annual report due on May 1, 2011.
- 22 Lifeconnex Telecom, LLC (Lifeconnex) is a public service company as defined in RCW 80.04.010. Lifeconnex provides telecommunications services in the state of Washington for compensation and is registered under RCW 80.36 and WAC 480-121. From the Commission's files and records, it appears that Lifeconnex failed to pay the required regulatory fees and file its annual report due on May 1, 2011.
- 23 Pacific Telecom Communications Group d/b/a Pacific Telecommunications Group, Inc. (Pacific Telecommunications) is a public service company as defined in RCW 80.04.010. Pacific Telecommunications provides telecommunications services in the state of Washington for compensation and is registered under RCW 80.36 and WAC 480-121. From the Commission's files and records, it appears that Pacific Telecommunications failed to pay the required regulatory fees and file its annual report due on May 1, 2011.
- 24 QX Telecom LLC (QX) is a public service company as defined in RCW 80.04.010. QX provides telecommunications services in the state of Washington for compensation and is registered under RCW 80.36 and WAC 480-121. From the Commission's files and records, it appears that QX failed to file a complete annual report due on May 1, 2011. The annual report that QX filed on May 1, 2011 was incomplete.

- 25 Royal Communications, LLC. (Royal) is a public service company as defined in RCW 80.04.010. Royal provides telecommunications services in the state of Washington for compensation and is registered under RCW 80.36 and WAC 480-121. From the Commission's files and records, it appears that Royal failed to pay the required regulatory fees and file its annual report due on May 1, 2011.
- 26 SelecTel, Inc. (SelecTel) is a public service company as defined in RCW 80.04.010. SelecTel provides telecommunications services in the state of Washington for compensation and is registered under RCW 80.36 and WAC 480-121. From the Commission's files and records, it appears that SelecTel failed to pay the required regulatory fees and file its annual report due on May 1, 2011.
- 27 Teledata Solutions, Inc. d/b/a TSI (TSI) is a public service company as defined in RCW 80.04.010. TSI provides telecommunications services in the state of Washington for compensation and is registered under RCW 80.36 and WAC 480-121. From the Commission's files and records, it appears that TSI failed to pay the required regulatory fees and file its annual report due on May 1, 2011.
- 28 Triarch Marketing, Inc. (Triarch) is a public service company as defined in RCW 80.04.010. Triarch provides telecommunications services in the state of Washington for compensation and is registered under RCW 80.36 and WAC 480-121. From the Commission's files and records, it appears that Triarch failed to pay the required regulatory fees and file its annual report due on May 1, 2011.
- 29 TTC Telecommunications, LLC (TTC) is a public service company as defined in RCW 80.04.010. TTC provides telecommunications services in the state of Washington for compensation and is registered under RCW 80.36 and WAC 480-121. From the Commission's files and records, it appears that TTC failed to pay the required regulatory fees and file its annual report due on May 1, 2011.
- 30 Global Capacity Direct, LLC (Global Capacity) is a public service company as defined in RCW 80.04.010. Global Capacity provides telecommunications services in the state of Washington for compensation and is registered under RCW 80.36 and WAC 480-121. From the Commission's files and records, it appears that Global Capacity failed to pay the required regulatory fees and file its annual report due on May 1, 2011.

## II. REQUEST FOR RELIEF

31 Staff asks the Commission to find that the Companies failed to comply with RCW 80.24.010, RCW 80.04.080, and with WAC 480-120-382 by failing to pay 2011 regulatory fees or file 2010 annual reports.

32 Staff requests that the Commission, pursuant to its authority in WAC 480-121-060, revoke the registrations of respondent telecommunications companies.

## III. PROBABLE CAUSE

33 Based on a review of the Declaration of Rayne Pearson regarding her investigation 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

34 **NOTICE IS HEREBY GIVEN that a hearing in this matter will be held on Monday, December 5, 2011, 9:30 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.

35 The Commission will hear this matter under the Administrative Procedure Act (APA) at RCW 34.05, including but not limited to RCW 34.05.413, RCW 34.05.431, RCW 34.05.434, RCW 34.05.440, RCW 34.05.449, and RCW 34.05.452. The Commission also will follow its procedural rules in WAC 480-07 in this proceeding, including but 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. The Commission has jurisdiction over this matter pursuant 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, and pursuant to RCW 80.36 and WAC 480-121.

36 **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.**

37 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.

38 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: Michael A. Fassio  
Assistant Attorney General  
1400 S. Evergreen Park Drive S.W.  
P.O. Box 40128  
Olympia, WA 98504-0128  
(360) 664-1192

Respondent: Affordable Voice Communications, Inc.  
1000 N. Main Street  
Las Cruces, NM 88001-1126

Respondent: American Cyber Corporation  
d/b/a Discount Plus  
107 W Michigan, Suite 400  
Kalamazoo, MI 49007

Respondent: American Dial Tone, Inc.  
6905 N. Wickham Road, Suite 403  
Melbourne, FL 32940



- Respondent: American Fiber Network, Inc.  
9401 Indian Creek Parkway, Suite 280  
Overland Park, KS 66210
- Respondent: Atlas Networks, LLC  
2401 Utah Ave S.  
Seattle, WA 98134
- Respondent: BLC Management LLC  
d/b/a Angles Communications Solutions  
6905 N. Wickham Road, Suite 403  
Melbourne, FL 32940
- Respondent: Centel Communications, Inc.  
2373 NW 185th Ave  
Hillsboro, OR 97124-7076
- 1505 S. Grant Street  
Goldendale, WA 98620
- Respondent: Coleman Enterprises, Inc.  
d/b/a Local Long Distance  
1117 Park Avenue  
Mahtomedi, MN 55115-1929
- Respondent: Devine Communications, Incorporated  
2024 Divisadero, Suite 1  
San Francisco, CA 94115
- Respondent: Entelequent Solutions, Inc.  
3800 Arco Corporation Dr., Suite 310  
Charlotte, NC 28273

Respondent: Group Six Communications  
1935 Silverton Rd.  
Salem, OR 97302

Respondent: Lifeconnex Telecom, LLC  
6905 N. Wickham Road, Suite 403  
Melbourne, FL 32940

Respondent: Pacific Telecom Communications Group  
d/b/a Pacific Telecommunications Group, Inc.  
12228 Venice Blvd, Suite 559  
Los Angeles, CA 90066

Respondent: QX Telecom LLC  
230 Fifth Avenue, Suite 800  
New York, NY 10001

Respondent: Royal Communications, LLC  
P.O Box 849  
Duvall, WA 98019

Respondent: SelecTel, Inc.  
1426 S. Atlantic Avenue  
Daytona Beach, FL 32118

Respondent: Teledata Solutions, Inc.  
d/b/a TSI  
5023 North Parkway  
Calabasa, CA 91302

2829 Townsgate Rd. #103  
Westlake Village, CA 91361

Respondent: Triarch Marketing, Inc.  
6905 N. Wickham Road, Suite 403  
Melbourne, FL 32940

Respondent: TTC Telecommunications, LLC  
P.O. Box 3022  
Pasco, WA 99302

39 Martin Lovinger is appointed as the Administrative Law Judge from the Utilities and  
Transportation Commission's Administrative Law Division, 1300 S. Evergreen Park  
Drive S.W., Olympia, Washington 98504-7250, and will preside at the hearing.

40 Notice of any other procedural phase will be given in writing or on the record as the  
Commission may deem appropriate during the course of this proceeding.

DATED at Olympia, Washington, and effective September 22, 2011.

WASHINGTON STATE 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: David W. Danner, 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.: (\_\_\_\_)\_\_\_\_\_