

# WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

## NOTICE OF PENALTIES INCURRED AND DUE FOR VIOLATIONS OF LAWS AND RULES

PENALTY ASSESSMENT: UT 60548  
PENALTY AMOUNT: \$1000

ComNet (USA) LLC  
700 South Flower Street, Suite 950  
Los Angeles, CA 90017

According to Washington Utilities and Transportation Commission (Commission) records, you have violated Washington Administrative Code (WAC) 480-120-382, which requires telecommunications companies to file their annual report and pay regulatory fees each year by May 1. May 1 was a Sunday, therefore you were required to file your annual report or pay regulatory fees by May 2, 2016. You did not file an annual report by May 2, 2016.

Revised Code of Washington (RCW) 80.04.405 authorizes the Commission to assess a penalty of \$100 for each violation of a Commission rule. In the case of a continuing violation, every day's continuance is a separate and distinct violation. The Commission interprets noncompliance with WAC 480-120-382 beyond May 2 as a continuing violation, and assesses penalties of \$100 for each day a company fails to file its report or pay its regulatory fees after that date.

As a result, the Commission has assessed penalties against you in the amount of \$1000 on the following basis:

On February 29, 2016, the Commission mailed the 2015 annual report forms and the 2016 regulatory fee packets to all telecommunications companies registered in Washington. The instructions page for the annual report form instructed these companies to file annual reports and pay regulatory fees by May 2, 2016. The instructions page also stated that failure to file the annual report by May 2 would result in penalties. The deadline for requesting an extension to file your annual report was April 15. You did not request an extension.

On Thursday, March 10, 2016, ComNet (USA) LLC filed an incomplete 2015 annual report and paid its 2016 regulatory fee. As of May 16, the report remained incomplete. May 16 is ten business days from May 2, resulting in a total penalty of \$1,000. A complete and accurate annual report is still not on file and additional penalties may accrue until received.

Your penalty is due and payable now. If you believe the violation did not occur, you may request a hearing to contest the penalty assessment. The Commission will grant that request only if material issues of law or fact require consideration of evidence and resolution in a hearing. A request for a hearing must include a written statement of the

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reasons supporting that request. Failure to provide such a statement will result in denial of the request.

If there is a reason for the violation that you think should excuse or reduce the penalty, you may ask for mitigation (reduction) of this penalty through evidence presented at a hearing or in writing. The Commission will grant a request for a hearing only if material issues of law or fact require consideration of evidence and resolution in a hearing. Any request for mitigation must include a written statement of the reasons supporting that request. Failure to provide such a statement will result in denial of the request. See RCW 80.04.405.

If you properly present your request for a hearing and the Commission grants that request, the Commission will review the evidence supporting your dispute of the violation or application for mitigation in a Brief Adjudicative Proceeding, before an administrative law judge. The administrative law judge will consider the evidence and will notify you of his or her decision.

**You must act within 15 days after receiving this notice** to do one of the following:

- Pay the amount due.
- Request a hearing to contest the occurrence of the violations.
- Request mitigation to contest the amount of the penalty.

Please indicate your selection on the enclosed form and send it to the Washington Utilities and Transportation Commission, Post Office Box 47250, Olympia, Washington 98504-7250, **within FIFTEEN (15) days** after you receive this notice.

**If you do not act within 15 days**, the Commission may refer this matter to the Office of the Attorney General for collection, which may file suit in state court to collect the penalty. The Commission may also initiate proceedings under WAC 480-121-060 to revoke your authority to provide telecommunications services in Washington.

DATED at Olympia, Washington, and effective June 13, 2016.

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GREGORY J. KOPTA  
Administrative Law Judge

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PENALTY ASSESSMENT UT-160548

PLEASE NOTE: You must complete and sign this document, and send it to the Commission within 15 days after you receive the penalty assessment. Use additional paper if needed.

I have read and understand RCW 9A.72.020 (printed below), which states that making false statements under oath is a class B felony. I am over the age of 18, am competent to testify to the matters set forth below and I have personal knowledge of those matters. I hereby make, under oath, the following statements.

[ ] 1. Payment of penalty. I admit that the violations occurred. I have:

[ ] Enclosed \$ \_\_\_\_\_ in payment of the penalty

[ ] Submitted my payment of \$ \_\_\_\_\_ online at www.utc.wa.gov. My confirmation number is \_\_\_\_\_.

[x] 2. Request for a hearing. I believe that one or more of the alleged violations did not occur, for the reasons I describe below, and I request a hearing based on those reasons for a decision by an administrative law judge:

[ ] 3. Application for mitigation. I admit the violations, but I believe that the penalty should be reduced for the reasons set out below:

[ ] a) I ask for a hearing to present evidence on the information I provide above to an administrative law judge for a decision

OR

[ ] b) I ask for a Commission decision based solely on the information I provide above.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing, including information I have presented on any attachments, is true and correct.

Dated: 6/13/2016 [month/day/year], at Los Angeles, CA [city, state]

ComNet (USA) LLC
Name of Respondent (company) - please print

[Signature]
Signature of Applicant

RCW 9A.72.020:

"Perjury in the first degree. (1) A person is guilty of perjury in the first degree if in any official proceeding he makes a materially false statement which he knows to be false under an oath required or authorized by law. (2) Knowledge of the materiality of the statement is not an element of this crime, and the actor's mistaken belief that his statement was not material is not a defense to a prosecution under this section. (3) Perjury in the first degree is a class B felony."

# ComNet ComNet (USA) LLC

March 4, 2016

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

Re: Annual Report

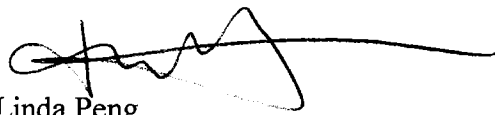
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To Whom It May Concern:

Enclosed is the 2015 Annual Report for ComNet (USA) LLC. I am writing this letter to inform you that ComNet (USA) LLC is registered with Washington UTC; however, it has not started any business in Washington yet, therefore the supporting documents, such as income statement and balance sheet for 2015 are not available at this time.

If you have any questions, please feel free to contact me at 213-488-1951.

Sincerely,



Linda Peng  
General Manager

RECEIVED  
GENERAL MANAGER  
2016 JUN 20 PM 2:23  
STATE OF WASHINGTON  
UTILITIES TRUST  
COMMISSIONER

**INVOICE**

Utilities & Transportation Commission  
 1300 S. Evergreen Park Drive S.W.  
 Olympia, Washington 98504-7250  
 (360) 664-1349 Accounts Receivable  
 (360) 664-1289 Fax  
 Federal Tax ID: 91-6001121

DATE: March 31, 2016

AGENCY NO: 2150

INVOICE NO: 3265 - 1

TO: ATTN ACCOUNTS PAYABLE  
 ComNet (USA) LLC  
 700 South Flower Street, Suite 950  
 Los Angeles, CA, 90017

Annual Report 2015 Regulatory Fees	
Description	Amount
Amount due for Regulatory Fees	\$150.00
Balance Due: 05/01/2016	\$150.00

Per RCW 86.24.019, a company's utility portion of gross operating revenue and payees by utility for each calendar year shall be reported to the commission by the 31st day of the month following the calendar year. The rate of the fee shall be one percent of the amount of the fee. Payment fees shall accrue on the amount due at the rate of one percent per month.

Please remit payment to: Utilities and Transportation Commission  
 Attn: Financial Services  
 PO Box 47250  
 Olympia WA 98504-7250

Pay your invoice online at [payments.utc.wa.gov](http://payments.utc.wa.gov)

\*A convenience fee of 2.5% (minimum of \$3.95) is charged by Official Payments for processing credit card payments.

AGENCY USE ONLY	
Receipt ID	
Payment ID	
Supplemental Info	
Amount Received	
Date Received	

If you have any questions concerning this invoice please call Accounts Receivable at 360-664-1349

**PAID**

Checked By: f

Date: 4/11/2016

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 FINANCIAL SERVICES

STATE OF WASHINGTON  
 UTILITIES AND TRANSPORTATION COMMISSION

Operation: Account Activity Transaction Details

Check number: 0000005879

Post date: 04/12/2016

Amount: -150.00

Type: Check

Description: Check

ComNet ComNet (USA) LLC  
700 S. FLOWER STREET, SUITE 950  
LOS ANGELES, CA 90017

Bank of America  
Wholesale Branch  
650 Wilshire Blvd  
Los Angeles, CA 90017  
213 312 9000

5879

04/12/2016  
\$ 150.00

058053

ONE HUNDRED AND FIFTY\*\*

Utilities & Transportation Commission  
Alto Financial Services  
PO Box 47250  
Olympia, WA 98504-7250  
United States  
Invoice 0265-1

MEMO

Signature: *[Signature]*  
AUTHORIZED SIGNATURE

⑈005879⑈ ⑆122008661⑆0021483⑆88919⑆

FOR DEPOSIT ONLY  
US BANK  
Mailing Address: 1581068248  
1581068248

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE

Credited to Acct  
1581068213 250000521  
Return Acct 1581068213

Home > Documents and Proceedings > Electronic Filing

## Electronic Filing

# Electronic Filing

### **E-file confirmation ID: 3657**

Your electronic filing has been successfully submitted. You will receive an e-mail notification shortly to confirm that we have received your submission.

If you are using a public or shared computer, please close this browser window when you are done, to protect your privacy.

**TELECOMMUNICATIONS COMPANIES**  
**Competitively Classified (CLEC)**  
**2015**  
**ANNUAL REPORT**

FOR

ComNet (USA) LLC

(NAME UNDER WHICH CORPORATION, PARTNERSHIP, OR INDIVIDUAL IS DOING BUSINESS)

700 South Flower Street, Suite 950

(OFFICIAL MAILING ADDRESS)

Los Angeles

(CITY)

CA

(STATE)

90017

(ZIP)

Please check if address listed above is an updated address

**Report Year Ended: December 31, 2015**

Inquiries concerning this Annual Report should be addressed to:

Name/Title: Linda Peng, General Manager  
Address: 700 South Flower Street, Suite 950  
City: Los Angeles  
State/Zip: CA 90017  
Telephone: (213) 488-1951  
Email: lindapeng@comnet-telecom.com

SUBMIT TO:

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION  
PO Box 47250  
Olympia, WA 98504-7250

File online: [www.utc.wa.gov](http://www.utc.wa.gov)

W A S H I N G T O N

**UTC**

UTILITIES AND TRANSPORTATION  
COMMISSION

**REPORT MUST BE RECEIVED NO LATER THAN MAY 2, 2016**

\*\*\*Please refer to the Instructions for Completing the Annual Report on Page 2\*\*\*



**ANNUAL REPORT CERTIFICATION**

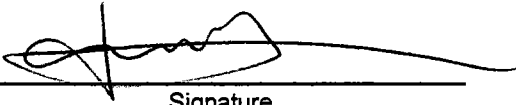
(PLEASE VERIFY THAT ALL SCHEDULES ARE ACCURATE AND COMPLETE BEFORE SIGNING)

I, the undersigned Linda Peng  
Responsible Account Officer (Please Print)

of ComNet (USA) LLC  
Name of Company

have examined the foregoing report; that, to the best of my knowledge and belief, all statement of fact contained in said report are true and said report is a correct statement of the business and affairs of the above-named respondent in respect to each and every matter set forth therein during the period from January 1, 2015, to December 31, 2015, inclusive.

General Manager  
Title  
(please print)

  
Signature  
(please type if filing electronically)

(213) 488-1951  
Telephone Number

March 7, 2016  
Date

**GENERAL INFORMATION**

Washington Unified Business Identifier (UBI) No.: 602274275  
(If you do not know your UBI No. please contact Business Licensing Service at 1-800-451-7985 or BLS@dor.wa.gov)

**Business Structure (please check the appropriate designation):**

- Individual / Sole Proprietor    Partnership    Other (LP, LLP, LLC)    Corporation    Nonprofit Corporation

**SCHEDULE 1**

**Telecommunications Company Financial & Operational Data**

**Part A. Financial: Annual Report and Financial Reporting Requirements and Due Dates**

	Required Information	CLECs
		All Companies
<input checked="" type="checkbox"/>	Annual Report	5/2/2016
<input type="checkbox"/>	Balance Sheet	5/2/2016
<input type="checkbox"/>	Income Statement	5/2/2016
<input type="checkbox"/>	Financial Templates	N/A
<input type="checkbox"/>	Regulatory Fee Schedule	5/2/2016

**Washington State Data**  
(All companies must provide)

**Part B. Services**

Does your company provide local exchange services in WA?  YES  NO  
*If response is yes, Part C MUST be completed, even if response is zero (0).*

**Part C. Access Lines in service as of December 31, 2015**

- 1 The total number of voice grade equivalent lines \_\_\_\_\_  
*This should be the same as the FCC Form 477 Part II. A. 1.*
- 2 How many of the lines listed in C.1. above, have access to E-911 \_\_\_\_\_

**Part D. Revenue Confirmation**

	Total Company	Total WA	WA Intrastate
Annual Revenue for the twelve months ended December 31, 2015	\$123122.24	\$0	\$0

**REGULATORY FEE CALCULATION SCHEDULE**

**Due May 2, 2016**

Company Name:

ComNet (USA) LLC

Annual Report Year

**2015**

In accordance with RCW 80.24.010 "Regulatory Fees", the Commission requires Telecommunication companies to file reports of gross intrastate operating revenue and pay fees on that revenue. Every company subject to regulation shall file with the Commission a statement under oath showing its gross intrastate revenue for the preceding year and pay to the Commission a fee as instructed below.

**Regulatory Fee Calculations**

1 Total Gross Intrastate Operating Revenue**			<u>\$0.00</u>
2 If Line 1 is less than or equal to \$100,000, enter \$150 (skip to Line 4)			<u>\$0.00</u>
3 If Line 1 is greater than \$100,000, the first \$50,000 is subject to 0.1% regulatory fee			
3a Enter \$50,000	_____	x 0.001	<u>\$0.00</u>
3b Remainder of revenues subject to 0.2% regulatory fee			
3c Subtract \$50,000 from Line 1	_____	x 0.002	<u>\$0.00</u>
4 Total Regulatory Fees Due (Line 2 or Line 3a + Line 3c)			<u>\$0.00</u>

*Agency Use Only* 001-111-0268-170-01

**Penalty & Interest Calculations**

Penalties on Regulatory Fees being paid after **May 2**

5 Total Penalties on Regulatory Fees owed (enter amount from Line 5 x 2%)	_____	x 0.02	<u>\$0.00</u>
6 Interest on Regulatory Fees being paid after <b>May 31</b>			
7 Amount from Line 5 x Number of months past May 31 x 1%	_____	x _____	<u>\$0.00</u>
8 Total Penalties and Interest owed (Line 6a plus Line 7a)			<u>\$0.00</u>
			<u>\$0.00</u>
Total Regulatory, Penalties and Interest Fees Due (Line 4 plus Line 8)			<u>\$0.00</u>

*Agency Use Only* 001-111-0268-170-11

**\*\*Note:** The revenues subject to the Commission's regulatory fees are gross Washington intrastate operating revenues before deductions for uncollectibles, unbillables, subscriber/aggregator commissions or the payment of site charges and state and federal taxes, i.e. "Gross Revenues" means before any deductions from Revenue Receipts.

**COMMISSION USE ONLY**

Reception #: \_\_\_\_\_  
Reference: AR2015  
Payment ID: \_\_\_\_\_

001-111-0268-170-01 \_\_\_\_\_  
001-111-0268-170-11 \_\_\_\_\_  
001-111-0268-032-20 \_\_\_\_\_  
001R-111-0268-032-20 ( \_\_\_\_\_ )  
Total Paid: \_\_\_\_\_

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## PAYMENT INFORMATION

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The commission accepts the following methods of payment:

- Cash (in-person at commission)
- Check (must be in US Funds)
- Online payments\* (ACH, American Express, Discover/Novus, Mastercard, Visa)
- Pay-by-phone (credit card payments only) at (360) 664-1349

*\*Please note: A convenience fee of 2.5 percent (minimum of \$3.95) is charged by Official Payments for using the credit card processing service.*

To pay online visit:

<https://fortress.wa.gov/wutc/utcweb/regulatedIndustries/Pages/onlinepayments.as>

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## FILING YOUR REPORT

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All annual reports and regulatory fees must be received by the commission no later than May 1 each year (or the following business day if May 1 lands on a weekend). Postmark dates are not considered the date received. It is strongly recommended to use a mail delivery service, such as certified mail via USPS, with delivery confirmation or filing online to receive an email notification of receipt.

Reports may be mailed, faxed, delivered in person or submitted online:

- Mail to: *(recommend via certified mail no later than April 15 to ensure timely delivery)*  
Utilities and Transportation Commission  
PO Box 47250  
Olympia, WA 98504
- Physical Address for express delivery services (Fedex, UPS):  
1300 S. Evergreen Park Dr. S.W.  
Olympia, WA 98504
- Fax to: (360) 664-1289 *(Contact commission staff below to verify receipt)*
- File online using the commission e-file system: *(System will generate automatic email receipt)*  
<https://fortress.wa.gov/wutc/utcweb/docs/Pages/ElectronicFiling.asp>

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## NEED MORE ASSISTANCE?

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For more information about annual reports please reference the Annual Report FAQ document at the website below or contact Amy Clark at (360) 664-1152 or [aclark@utc.wa.gov](mailto:aclark@utc.wa.gov).

<https://fortress.wa.gov/wutc/utcweb/regulatedindustries/Pages/annualReports.aspx>

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