

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

PENALTY ASSESSMENT UT-160571

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 _____.

[] 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:

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

We submitted the report and check for \$2,190 on 5/27/16. We then received a check from the office of the Treasurer for overpayment of \$2,037. See attached.

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

OR

X 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: 6/29/16 [month/day/year], at San Francisco, CA [city, state]

ERIK CORKERY FOR MODUS INC. 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."

Please note new address: 240 Stockton St., 3rd Floor San Francisco, CA 94108

2016 JUN 30 AM 10:31 RECEIVED

MODUS, INC.
 240 STOCKTON ST., 3RD FL.
 SAN FRANCISCO CA 94108

PAYMENT DATE: 06/16/16
 WARRANT #: 393186J
 VENDOR #: RF-969
 BATCH: RF-969

215-0 ***** STATE OF WASHINGTON ***** PAGE #: 1
 RPT DWP827V VENDORS REMITTANCE ADVICE

FROM: UTILITIES AND TRANSPORTATION COMM CALL (360) 664-1158

INV DT	INVOICE NUMBER VENDOR MESSAGE	ACCOUNT NUMBER AGREEMENT # / ORDER ID	DOCUMENT # PAYMENT ID	AMOUNT
			F1712029	2,037.00
				2,037.00 *

TO SIGN UP FOR DIRECT DEPOSIT PAYMENTS PLEASE VISIT THE ENTERPRISE SERVICES WEBSITE AT:
[HTTP://DES.WA.GOV/SERVICES/CONTRACTINGPURCHASING/BUSINESS/VENDORPAY/PAGES/DEFAULT.ASPX](http://DES.WA.GOV/SERVICES/CONTRACTINGPURCHASING/BUSINESS/VENDORPAY/PAGES/DEFAULT.ASPX)

YOUR PAYMENT/CHECK IS IN THIS ENVELOPE BEHIND THE PMT DETAILS PAGE

Company overpaid 2015 annual Report regulatory fee. Attempted to contact company before processing payment, but no response. Please call (360) 664-1152 or email wutcfbs@wutc.wa.gov if you have questions and to update your company phone number and email contact information. Thank you.

RECEIVED
 STATE OF WASHINGTON
 OFFICE OF STATE TREASURER
 2016 JUN 30 AM 10:31

THIS WARRANT CONTAINS A WATERMARK ON THE BACK. HOLD TO A LIGHT TO VIEW. IF NOT PRESENT, DO NOT CASH.

STATE OF WASHINGTON OFFICE OF STATE TREASURER OLYMPIA			98-557 1251	393186J															
UTILITIES AND TRANSPORTATION CO (360) 664-1158			<table border="1" style="font-size: x-small;"> <tr> <th>Reg. No.</th> <th>Agency</th> <th>Sub. Ag.</th> <th>Warrant No.</th> <th>Mo.</th> <th>Day</th> <th>Yr.</th> </tr> <tr> <td>16168</td> <td>2150</td> <td></td> <td>393186J</td> <td>06</td> <td>16</td> <td>2016</td> </tr> </table>	Reg. No.	Agency	Sub. Ag.	Warrant No.	Mo.	Day	Yr.	16168	2150		393186J	06	16	2016	PAY THIS AMOUNT	
Reg. No.	Agency	Sub. Ag.	Warrant No.	Mo.	Day	Yr.													
16168	2150		393186J	06	16	2016													
PAY ONLY 2037.00 SEVEN THOUSAND THREE HUNDRED SEVENTY DOLLARS AND NO CENTS			\$2,037.00																
PAY TO THE ORDER OF MODUS, INC. 240 STOCKTON ST., 3RD FL. SAN FRANCISCO CA 94108			NEGOTIABLE FOR 180 DAYS ON OR AFTER ABOVE DATE JAMES L. MCINTIRE, STATE TREASURER																

⑈ 4321 ⑈ ⑈ 25105576⑈ 39318610 ⑈

Tora Chung

From: trackingupdates@fedex.com
Sent: Tuesday, May 31, 2016 10:14 AM
To: Tora Chung
Subject: FedEx Shipment 776395257967 Delivered

This tracking update has been requested by:

Company Name: Modus, Inc.
Name: Tora Chung
E-mail: tchung@modus-corp.com

Our records indicate that the following shipment has been delivered:

Reference: CLEC annual report 2015 & fees
Ship (P/U) date: May 27, 2016
Delivery date: May 31, 2016 10:06 am
Sign for by: P.CHILES
Delivery location: OLYMPIA, WA
Delivered to: Receptionist/Front Desk
Delivery date: Tue, 5/31/2016 10:06 am
Service type: FedEx Standard Overnight
Packaging type: FedEx Envelope
Number of pieces: 1
Weight: 5.00 lb.
Special handling/Services: Direct Signature Required
Deliver Weekday

Tracking number: 776395257967

Shipper Information	Recipient Information
Tora Chung	Utilities & Transportation Commission
Modus, Inc.	Utilities & Transportation Commission
240 Stockton Street	1300 S. Evergreen Park Dr. S. W.
3rd Floor	OLYMPIA
SAN FRANCISCO	WA
CA	US
US	98504
94108	

Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 12:14 PM CDT on 05/31/2016.

To learn more about FedEx Express, please visit our website at fedex.com.

All weights are estimated.

To track the status of this shipment online, please use the following:

TELECOMMUNICATIONS COMPANIES

Competitively Classified (CLEC)

2015

ANNUAL REPORT

FOR

MODUS, INC.

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

240 STOCKTON ST. 3RD FLOOR

(OFFICIAL MAILING ADDRESS)

SAN FRANCISCO

(CITY)

CA

(STATE)

94108

(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: ERIK CORKEY
Address: 240 STOCKTON ST. 3RD FL.
City: SAN FRANCISCO CA 94108
State/Zip:
Telephone: (415) 902-4165
Email: LEGAL@MODUS-CORP.COM

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

File online: www.utc.wa.gov

WASHINGTON

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 CHAD ABBOTT
Responsible Account Officer (Please Print)

of MODUS, INC.
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.

TREASURER

Title
(please print)



Signature
(please type if filing electronically)

(415) 794-2966

Telephone Number

5/27/16

Date

GENERAL INFORMATION

Washington Unified Business Identifier (UBI) No.: 602914705
(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 checked="" type="checkbox"/>	Balance Sheet	5/2/2016
<input checked="" type="checkbox"/>	Income Statement	5/2/2016
<input type="checkbox"/>	Financial Templates	N/A
<input checked="" 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	\$ 8,416,457	0	0

REGULATORY FEE CALCULATION SCHEDULE

Due May 2, 2016

Company Name:

Annual Report Year

MODUS, INC.

0

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</u>
2 If Line 1 is less than or equal to \$100,000, enter \$150 (skip to Line 4)			<u>\$150</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	\$0
3b Remainder of revenues subject to 0.2% regulatory fee			
3c Subtract \$50,000 from Line 1		x 0.002	\$0
4 Total Regulatory Fees Due (Line 2 or Line 3a + Line 3c)			<u>\$150</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%)		<u>\$2,000</u> x	0.02	<u>\$40</u>	\$0
6 Interest on Regulatory Fees being paid after May 31					
7 Amount from Line 5 x Number of months past May 31 x 1%		x	x 0.01		\$0
8 Total Penalties and Interest owed (Line 6a plus Line 7a)					<u>\$0</u>

Total Regulatory, Penalties and Interest Fees Due (Line 4 plus Line 8)

2,090 \$0

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: _____



STATE OF WASHINGTON

UTILITIES AND TRANSPORTATION COMMISSION

1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250

(360) 664-1160 • TTY (360) 586-8203

March 1, 2016

Subject: Request for Company Electronic Contact Information

The commission is collecting current email addresses from all regulated companies for official commission or staff correspondence. Communications may include, but are not limited to, electronic service of commission orders, rule changes, and emergency notifications. At this time, all communications will also be delivered by First Class Mail to the mailing address on file.

Please provide your company's primary email address below. Only one email address can be listed in the commission's database for each company. To ensure communications are received, the commission recommends the email provided be one which is directed to more than one employee or can be accessed by other company staff in the event of turnover.

Company Name: MODUS, INC.

Email Address: LEGAL@MODUS-CORP.COM

Please send all company contact information update requests to records@utc.wa.gov.

The request must be provided on company letterhead.

Sincerely,

Steven V. King,
Executive Director