

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

In the Matter of the)	DOCKET NO. UT-031194
)	
Revocation of Telecommunications)	ORDER NO. 01
Registrations of the Company's Listed on)	
Attachment A for Failure to File Annual)	ORDER REVOKING
Reports and Pay Regulatory Fees.)	REGISTRATION AS A
)	TELECOMMUNICATIONS
.....)	COMPANY
)	

1 **Synopsis:** *The Commission revokes the registrations of those telecommunications companies that failed to submit required reports and pay regulatory fees for 2002 or 2001. A list of companies whose registrations the Commission revokes is attached to this Order as Attachment 1.*

2 **Proceedings:** On September 30, 2003, the Commission served upon certain telecommunications companies a notice of impending revocation of registration as a telecommunications company for failure to submit annual reports or pay regulatory fees, violations of RCW 80.04.080 and RCW 80.24.010. The notice offered each respondent the opportunity to come into compliance and the opportunity to request a hearing. The notice was the result of the Commission Staff's yearly review of annual reports and regulatory fees for telecommunications companies registered with the Commission. The companies subject to the notice had the opportunity to respond within 30 days of service.

I. BACKGROUND

3 Commission Staff conducted its yearly review of annual reports and regulatory fees for telecommunications companies registered with the Commission, resulting in a list of companies not complying with regulatory requirements under RCW 80.04.080

and RCW 80.24.010 for 2002, and in one case 2001. The Commission served a Notice of Impending Revocation of Registration as a Telecommunications Company and Opportunity to Request a Hearing (Notice) upon the non-complying companies. The Commission served the Notice on September 30, 2003, upon the companies listed in Attachment A to that Notice by regular and certified mail. The Notice was sent to the address on file with the Commission for each of the companies. The certified mailing included a request for a return receipt to show delivery was complete.

4 The companies were informed that they could avoid revocation by obtaining regulatory compliance or requesting a hearing. Regulatory compliance could be achieved by submitting the delinquent annual reports and regulatory fees. The companies were to respond to the notice within 30 days of service, by October 30, 2003.

II. COMPANY RESPONSES TO NOTICE

5 Twenty-one companies responded to the Notice. The responses fell within three categories: companies requesting voluntary cancellation of their registrations, companies obtaining regulatory compliance before October 30, 2003, and companies obtaining regulatory compliance after October 30, 2003.

A. Voluntary cancellation of registration as a telecommunications company.

6 Four companies responded to the Notice by voluntarily canceling their registrations as telecommunications companies in Washington. The following companies voluntarily canceled their registrations before October 30, 2003:

Interwest Telecom Services
LCI International Telecom Corp., d/b/a Qwest Communications Services (LCI)
Phoenix Networks, Inc.

The registrations for the three companies were canceled pursuant to the No Action Agenda of the Commission's Open Meeting on October 29, 2003.

- 7 In addition, Choctaw Communications, Inc., voluntarily canceled its registration pursuant to the Commission's No Action Agenda for the Open Meeting held on November 26, 2003.

B. Regulatory compliance before October 30, 2003.

- 8 Eleven companies responded to the Notice by filing delinquent annual reports and regulatory fees before October 30, 2003, thus achieving regulatory compliance. The following companies obtained regulatory compliance before October 30, 2003:

Advantage Telecommunications Corp.
Consolidated Billing Provider, LLC
Convergence Technologies, Inc.
Gateway Networks, Inc.
Global Access & VOIP Corp.
Maxcess, Inc.
Oregon Telecom, Inc., d/b/a Washington Telecom
ServiSense.com, Inc.
TSS Digital Services, Inc.
Who's Calling, Inc.
World Communications, Inc.

C. Regulatory compliance after October 30, 2003.

- 9 Six companies responded to the Notice by filing delinquent annual reports and regulatory fees after October 30, 2003, thus achieving regulatory compliance. The following companies obtained regulatory compliance after October 30, 2003:

Accessline Communications
Arizona Telephony Brokers, LLC.
Communications Billing, Inc.
Public Communications Services, Inc.
WorldTeq Corp.
Special Accounts Billing Group, Inc.

D. Requests for hearing.

10 No telecommunications company responded to the Notice by requesting a hearing.

III. DISCUSSION AND DECISION

11 Of the 21 companies that filed responses to the Notice, 14 filed responses before the time for response expired. The Commission's order to revoke does not apply to those companies. The registrations of (1) Interwest Telecom Services, (2) LCI International Telecom Corp., d/b/a Qwest Communications Services, and (3) Phoenix Networks, Inc. were canceled pursuant to their requests to voluntarily cancel their registrations on October 29, 2003. Thus, the registrations do not need to be canceled through this docket. The eleven companies that obtained regulatory compliance by filing delinquent annual reports and regulatory fees before October 30, 2003, will retain their registrations as telecommunications companies. The Commission does not waive the right to impose penalties upon the companies pursuant to RCW 80.04.405.

12 Choctaw Communications, Inc., responded to the Notice by canceling its registration after October 30, 2003. Because Choctaw Communications' registration was canceled on November 26, 2003, the Commission need not cancel the registration through this docket.

13 The six companies that responded to the Notice after October 30, 2003, obtained full regulatory compliance by filing the required annual reports and regulatory fees. It is

in the public interest to not cancel the registrations of (1) Accessline Communications (2) Arizona Telephony Brokers, LLC., (3) Communications Billing, Inc., (4) Public Communications Services, Inc., (5) WorldTeq Corp., and (6) Special Accounts Billing Group, Inc. at this time. The Commission does not waive the right to impose penalties upon the companies pursuant to RCW 80.04.405.

14 All other companies listed in Attachment A to the Notice failed to respond to the Notice, either by coming into compliance or requesting a hearing on mitigation or on the validity of the allegations of violations. As such, the Commission will find that the respondents did fail to file required reports on their operations in Washington state or to pay regulatory fees, and will revoke the registrations of those companies pursuant to the Notice and WAC 480-121-060. A list of the companies whose registrations as telecommunications companies are revoked by this Order is attached as Attachment 1.

IV. FINDINGS OF FACT

15 Having discussed above all matters material to our decision, and having stated our general findings, the Commission now makes the following summary findings of fact. Those portions of the preceding discussion that include findings pertaining to the ultimate facts of the Commission are incorporated by this reference.

16 (1) The Washington Utilities and Transportation Commission (Commission) is an agency of the State of Washington vested by statute with the authority to regulate rates, rules, regulations, practices, and accounts of public service companies, including telecommunications companies.

17 (2) The companies listed in Attachment A to the Commission's Notice of Impending Revocation of Registration as a Telecommunications Company and Opportunity to Request a Hearing (Notice) are telecommunications companies.

- 18 (3) The Commission served the Notice on September 30, 2003 upon the companies listed in Attachment A to that Notice.
- 19 (4) Three companies requested to voluntarily cancel their registrations before October 30, 2003. Those companies are (a) Interwest Telecom Services, (b) LCI International Telecom Corp., d/b/a Qwest Communications Services, and (c) Phoenix Networks, Inc. The registrations of those companies were canceled on October 29, 2003.
- 20 (5) One company requested to voluntarily cancel its registration after October 30, 2003. That company was Choctaw Communications, Inc. The registration was canceled on November 26, 2003.
- 21 (6) Eleven companies obtained regulatory compliance before October 30, 2003. Those companies are (a) Advantage Telecommunications Corp., (b) Consolidated Billing Provider, LLC, (c) Convergence Technologies, Inc., (d) Gateway Networks, Inc., (e) Global Access & VOIP Corp., (f) Maxcess, Inc., (g) Oregon Telecom, Inc., d/b/a Washington Telecom, (h) ServiSense.com, Inc., (i) TSS Digital Services, Inc., (j) Who's Calling, Inc., and (k) World Communications, Inc.
- 22 (7) Six companies obtained regulatory compliance after October 30, 2003. Those companies are (a) Accessline Communications, (b) Arizona Telephony Brokers, LLC, (c) Communications Billing, Inc., (d) Public Communications Services, Inc., (e) WorldTeq Corp., and (f) Special Accounts Billing Group, Inc.
- 23 (8) All of the remaining companies, listed in Attachment 1, attached to this order, did fail to file an annual report; did fail to pay regulatory fees; and did fail to request a hearing to challenge cancellation of their registration to conduct

business as telecommunications companies under the laws of the State of Washington.

V. CONCLUSIONS OF LAW

24 Having discussed in detail all matters material to this decision, and having stated general conclusions, the Commission now makes the following summary conclusions of law. Those portions of the preceding discussion that state conclusions pertaining to the ultimate decisions of the Commission are incorporated by this reference.

25 (1) The Washington Utilities and Transportation Commission (Commission) has jurisdiction over the subject matter of and the parties to this proceeding. *RCW 80.01.040; Chapter 80.36 RCW; Chapter 480-120 WAC; Chapter 480-121 WAC.*

26 (2) The companies listed in Attachment A to the Commission's Notice of Impending Revocation of Registration as a Telecommunications Company and Opportunity to Request a Hearing (Notice) are public service companies as defined in RCW 80.04.010 and are registered with the Commission as telecommunications companies under chapter 8.036RCW and chapter 480-121 WAC.

27 (3) The companies listed in Attachment 1 failed to file an annual report for the year 2002 or 2001, reporting on company operations during the year 2001 or 2000, and failed to pay regulatory fees as required by RCW 80.04.080 and RCW 80.24.080.

28 (4) The Commission has authority to revoke a company's registration as a telecommunications company for good cause after notice and opportunity for a hearing. *WAC 480-121-060.*

- 29 (5) Because the registrations of (a) Interwest Telecom Services, (b) LCI International Telecom Corp., d/b/a Qwest Communications Services, and (c) Phoenix Networks, Inc. were canceled pursuant to their requests to voluntarily cancel their registrations on October 29, 2003, the Commission will not revoke the registrations in this proceeding.
- 30 (6) Because the registration of Choctaw Communications, Inc. was canceled pursuant to its request to voluntarily cancel its registration on November 26, 2003, the Commission will not revoke the registration in this proceeding.
- 31 (7) Because (a) Advantage Telecommunications Corp., (b) Consolidated Billing Provider, LLC, (c) Convergence Technologies, Inc., (d) Gateway Networks, Inc., (e) Global Access & VOIP Corp., (f) Maxcess, Inc., (g) Oregon Telecom, Inc., d/b/a Washington Telecom, (h) ServiSense.com, Inc., (i) TSS Digital Services, Inc., (j) Who's Calling, Inc., (k) World Communications, Inc., (l) Accessline Communications, (m) Arizona Telephony Brokers, LLC., (n) Communications Billing, Inc., (o) Public Communications Services, Inc., (p) WorldTeq Corp., and (q) Special Accounts Billing Group, Inc. obtained regulatory compliance, the Commission should not revoke the registrations at this time.
- 32 (8) The Commission should revoke the registrations of all companies listed in Attachment 1 to this order for failure to file annual reports and failure to pay regulatory fees, in violation of RCW 80.04.080 and RCW 80.24.010.

VI. ORDER

- 33 (1) The Commission hereby revokes the registrations as telecommunications companies of all companies listed in Attachment 1 to this Order.

- 34 (2) This Order Revoking Registration as a Telecommunications Company does not apply to the following companies:

Choctaw Communications, Inc.
Interwest Telecom Services
LCI International Telecom Corp., d/b/a Qwest Communications Services
Phoenix Networks, Inc.
Advantage Telecommunications Corp.
Consolidated Billing Provider, LLC
Convergence Technologies, Inc.
Gateway Networks, Inc.
Global Access & VOIP Corp.
Maxcess, Inc.
Oregon Telecom, Inc., d/b/a Washington Telecom
ServiSense.com, Inc.
TSS Digital Services, Inc.
Who's Calling, Inc.
World Communications, Inc.
Accessline Communications
Arizona Telephony Brokers, LLC.
Communications Billing, Inc.
Public Communications Services, Inc.
WorldTeq Corp.
Special Accounts Billing Group, Inc.

- 35 (3) The Commission retains jurisdiction of the subject matter and the parties to effectuate the provisions of this Order.

DATED at Olympia, Washington, and effective this 22nd day of December 2003.

MARILYN SHOWALTER, Chairwoman

RICHARD HEMSTEAD, Commissioner

PATRICK J. OSHIE, Commissioner

NOTICE TO PARTIES: This is a final order of the Commission. In addition to judicial review, administrative relief may be available through a petition for reconsideration, filed within 10 days of the service of this order pursuant to RCW 34.05.470 and WAC 480-09-810, or a petition for rehearing pursuant to RCW 80.04.200 or RCW 81.04.200 and WAC 480-09-820(1).