

[Service Date November 19, 2010]

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

WASHINGTON UTILITIES AND)	DOCKET UT-101620
TRANSPORTATION COMMISSION,)	
)	
Complainant,)	COMPLAINT FOR REVOCATION
)	OF REGISTRATION FOR FAILURE
v.)	TO PAY REGULATORY FEES AND
)	FAILURE TO FILE ANNUAL
AMERICOM TECHNOLOGIES, INC.,)	REPORT; and
ANDIAMO TELECOM, LLC, ASIA TALK)	
TELECOM, INC., DIGITLINE EXPRESS,)	
LLC, ELITE TELNET, LLC, EMAN)	
NETWORKS, ETHOS)	NOTICE OF HEARING
COMMUNICATIONS GROUP, INC.,)	(Set for February 2, 2011,
NETWORK US, INC., NORSTAR)	at 11:00 a.m.)
TELECOMMUNICATIONS, LLC, NW)	
TELECOM, LLC, ROYAL)	
COMMUNICATIONS, LLC, SYMTELCO,)	
LLC, TELENATIONAL)	
COMMUNICATIONS, INC., TELMEX)	
USA, LLC AND UNI-TEL)	
COMMUNICATIONS GROUP, INC.)	
)	
Respondents.)	
)	
.....)	

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 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)¹ 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.*

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.*

¹ 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.*

- 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 2010 or failed to submit annual reports for 2009. Since then, a number of companies have come into compliance. Those companies that still have not paid 2010 regulatory fees or filed 2009 annual reports are named as respondents in this complaint.
- 11 Americom Technologies, Inc. (Americom) is a public service company as defined in RCW 80.04.010. Americom 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 Americom failed to pay the required regulatory fees and file its annual report due on May 1, 2010.
- 12 Andiamo Telecom, LLC (Andiamo) is a public service company as defined in RCW 80.04.010. Andiamo 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 Andiamo failed to pay the required regulatory fees and file its annual report due on May 1, 2010.
- 13 Asia Talk Telecom, Inc. (Asia Talk) is a public service company as defined in RCW 80.04.010. Asia Talk 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 Asia Talk failed to pay the required regulatory fees and file its annual report due on May 1, 2010.
- 14 DigitLine Express, LLC (DigitLine) is a public service company as defined in RCW 80.04.010. DigitLine 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 DigitLine failed to pay the required regulatory fees and file its annual report due on May 1, 2010.
- 15 Elite Telnet, LLC (Elite) is a public service company as defined in RCW 80.04.010. Elite 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 Elite failed to pay the required regulatory fees and file its annual report due on May 1, 2010.

- 16 Eman Networks (Eman) is a public service company as defined in RCW 80.04.010. Eman 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 Eman failed to pay the required regulatory fees and file its annual report due on May 1, 2010.
- 17 Ethos Communications Group, Inc. (Ethos) is a public service company as defined in RCW 80.04.010. Ethos 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 Ethos failed to pay the required regulatory fees and file its annual report due on May 1, 2010.
- 18 Network US, Inc. (Network US) is a public service company as defined in RCW 80.04.010. Network US 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 Network US failed to pay the required regulatory fees and file its annual report due on May 1, 2010.
- 19 Norstar Telecommunications, LLC (Norstar) is a public service company as defined in RCW 80.04.010. Norstar 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 Norstar failed to pay the required regulatory fees and file its annual report due on May 1, 2010.
- 20 NW Telecom, LLC (NW Telecom) is a public service company as defined in RCW 80.04.010. NW Telecom 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 NW Telecom failed to pay the required regulatory fees and file its annual report due on May 1, 2010.
- 21 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, 2010.

- 22 Symtelco, LLC (Symtelco) is a public service company as defined in RCW 80.04.010. Symtelco 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 Symtelco failed to pay the required regulatory fees and file its annual report due on May 1, 2010.
- 23 Telenational Communications, Inc. (Telenational) is a public service company as defined in RCW 80.04.010. Telenational 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 Telenational failed to pay the required regulatory fees and file its annual report due on May 1, 2010.
- 24 Telmex USA, LLC (Telmex) is a public service company as defined in RCW 80.04.010. Telmex 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 Telmex failed to pay the required regulatory fees and file its annual report due on May 1, 2010.
- 25 Uni-Tel Communications Group, Inc. (Uni-Tel) is a public service company as defined in RCW 80.04.010. Uni-Tel 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 Uni-Tel failed to pay the required regulatory fees and file its annual report due on May 1, 2010.

II. REQUEST FOR RELIEF

- 26 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 2010 regulatory fees or file 2009 annual reports.
- 27 Staff requests that the Commission, pursuant to its authority in WAC 480-121-060, revoke the registrations of respondent telecommunications companies.

III. PROBABLE CAUSE

- 28 Based on a review of the Declaration of Sheri Hoyt 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

- 29 **NOTICE IS HEREBY GIVEN that a hearing in this matter will be held on Wednesday, February 2, 2011, 11:00 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.
- 30 The Commission will hear this matter under the Administrative Procedure Act (APA) at RCW34.05, 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.
- 31 **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.**
- 32 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.
- 33 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.
P.O. Box 47250
Olympia, WA 98504-7250

Representative: Gregory J. Trautman
Assistant Attorney General
1400 S. Evergreen Park Drive S.W.
P.O. Box 40128
Olympia, WA 98504-0128
(360) 664-1187

Respondent: Americom Technologies, Inc.
d/b/a Network Utilization Services
P.O. Box 990165
Boston, MA 02199

Respondent: Andiamo Telecom, LLC
10575 North 114th Street, Suite 103
Scottsdale, AZ 85259

Respondent: Asia Talk Telecom, Inc.
d/b/a Hellocom
14778 Pipeline Avenue, Suite A
Chino Hills, CA 91709-6028

Respondent: DigitLine Express, LLC
5012 Daylily Court
Fort Worth, TX 76133

Respondent: Elite Telnet, LLC
3307 Evergreen Way, Suite 707-395
Washougal, WA 98671

Respondent: Eman Networks
31706 – 40th Avenue SE
Roy, WA 98580

Respondent: Ethos Communications Group, Inc.
728 Cypress Avenue
Hermosa Beach, CA 90254

Respondent: Network US, Inc.
d/b/a CA Affinity
40 Shuman Boulevard, Suite 270
Naperville, IL 60563
and
6825 Hobson Valley Drive #101
Woodridge, IL 60517

Respondent: Norstar Telecommunications, LLC
10025 Scenic View Road
Vienna, VA 22182

Respondent: NW Telecom, LLC
297 Kingsbury Grade, Suite D #4470
Stateline, NV 89449-4470

Respondent: Royal Communications, LLC
19406 NE 181st Street
Woodinville, WA 98077

Respondent: Symtelco, LLC
1385 Weber Industrial Drive
Cumming, GA 30041

Respondent: Telenational Communications, Inc.
5408 N. 99th St., Ste. C,
Omaha, NE 68134-1110

Respondent: Telmex USA, LLC
3350 SW 148th Avenue, Ste. 400
Miramar, FL 33027

Respondent: Uni-Tel Communications Group, Inc.
932 N. Wright Street, Ste. A
Naperville, IL 60563-3601

34 Adam E. Torem 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.

35 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 November 19, 2010.

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.: (____)_____