



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

August 14, 2017

Steven V. King, Executive Director and Secretary
Utilities and Transportation Commission
1300 S. Evergreen Park Dr. SW
P.O. Box 47250
Olympia, WA 98504-7250

RE: *Washington Utilities and Transportation Commission v. USA Digital Communications, Inc.*

Commission Staff's Letter Confirming Non-Compliance UT-170496

Dear Mr. King:

On June 28, 2017, the Utilities and Transportation Commission issued a \$1,000 Penalty Assessment in Docket UT-170496 against USA Digital Communications, Inc. for ten violations of Washington Administrative Code (WAC 480-120-382), which requires telecommunication companies to furnish annual reports and the regulatory fee to the commission no later than May 1 each year. USA Digital Communications, Inc. had the option to have \$750 of the \$1,000 penalty suspended on the conditions that: (1) USA Digital Communications, Inc. files a complete annual report, including financials; and (2) pays any outstanding regulatory fee; and (3) pays the \$250 portion of the penalty that is not suspended within 15 days of the receipt of the Penalty Assessment Notice. The Penalty Assessment further states that if USA Digital Communications, Inc. does not meet these three conditions, the \$750 suspended portion of the penalty will become immediately due and payable.

After reviewing commission records, staff confirmed on August 11, 2017 that USA Digital Communications, Inc. has not: filed a complete annual report; paid the outstanding regulatory fee; nor paid the \$250 unsuspended portion of the penalty. As USA Digital Communications, Inc. has not complied with all of the conditions under which the Commission suspended \$750 of the \$1,000 penalty assessment, it is staff's recommendation that the suspended \$750 penalty be imposed.

A complete annual report has not been filed with the commission, nor has the regulatory fee been paid. The Commission may also initiate proceedings under WAC 480-121-060 to revoke your authority to provide telecommunications services in Washington.

UTC Annual Reports

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If you have any questions regarding this recommendation, please contact Sean Bennett, Regulatory Analyst, at (360) 664-1157, or sbennett@utc.wa.gov.

Sincerely,

/s/ Sean Bennett

Sean Bennett, Regulatory Analyst
Administrative Services