

BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the)	DOCKET NO. UT-051260
)	
Revocation of the)	ORDER NO. 02
Telecommunications Registration of)	
Globcom Incorporated for Failure to)	ORDER REVOKING
File Annual Report and Pay)	REGISTRATION AS A
Regulatory Fees)	TELECOMMUNICATIONS
)	COMPANY
.....)	

1 **Synopsis:** *The commission revokes the registration of Globcom Incorporated (Globcom) for failure to submit an annual report and pay regulatory fees as required by RCW 80.04.080, RCW 80.24.010, and WAC 480-120-382 or WAC 480-120-385.*

2 **Proceedings:** On December 16, 2005, the commission served Globcom a notice of impending revocation of registration as a telecommunications company for failure to file its annual report and pay regulatory fees, violations of RCW 80.04.080, RCW 80.24.010, and WAC 480-120-382 or WAC 480-120-385. The notice offered Globcom 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. Globcom 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, and determined that Globcom was out of compliance with regulatory requirements under RCW 80.04.080, RCW 80.24.010, and WAC 480-120-382 or WAC 480-120-

385. Globcom failed to file its 2004 annual report and pay regulatory fees for 2005.

4 The commission served a Notice of Impending Revocation of Registration as a Telecommunications Company and Opportunity to Request a Hearing (Notice) upon Globcom on December 16, 2005. The commission served the Notice by regular and certified mail. The Notice was sent to the address on file with the commission. The certified mailing included a request for a return receipt to show delivery was complete.

5 The notice informed Globcom that it could avoid revocation by obtaining regulatory compliance or requesting a hearing. Regulatory compliance could be achieved by submitting the delinquent annual report and regulatory fees. Globcom was to respond to the Notice within 30 days of service, by January 17, 2006.

III. DISCUSSION AND DECISION

6 Globcom 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. The commission finds that Globcom failed to file required reports on their operations in Washington State or to pay regulatory fees. The commission revokes the registration of Globcom pursuant to the Notice and WAC 480-121-060.

IV. FINDINGS OF FACT

7 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.

- 8 (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.
- 9 (2) Globcom is a telecommunications company.
- 10 (3) The commission served the Notice of Impending Revocation of Registration as a Telecommunications Company and Opportunity to Request a Hearing on December 16, 2005, upon Globcom.
- 11 (4) Globcom failed to file an annual report, failed to pay regulatory fees, and failed to request a hearing to challenge cancellation of their registration to conduct business as a telecommunications company under the laws of the state of Washington.
- 12 (5) Globcom failed to file an annual report and failed to pay regulatory fees after the commission served the Notice.

V. CONCLUSIONS OF LAW

13 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.

- 14 (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.*
- 15 (2) Globcom is a public service company as defined in RCW 80.04.010 and is registered with the commission as a telecommunications company under chapter 80.36 RCW and chapter 480-121 WAC.
- 16 (3) Globcom failed to file in 2005 an annual report setting forth company operations during the year 2004 and failed to pay regulatory fees as required by RCW 80.04.080, RCW 80.24.080, and WAC 480-120-382 or WAC 480-120-385.
- 17 (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. *RCW 80.01.040, RCW 80.04.160, and WAC 480-121-060.*
- 18 (5) The commission should revoke the registration of Globcom for failure to file its annual report and failure to pay regulatory fees, in violation of RCW 80.04.080, RCW 80.24.010, and WAC 480-120-303 or WAC 480-120-304.

VI. ORDER

- 19 (1) The commission hereby revokes Globcom's registration as a telecommunications company.
- 20 (2) 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 1st day of February, 2006.

MARK H. SIDRAN, Chairman

PATRICK J. OSHIE, Commissioner

PHILIP B. JONES, 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 480-07-850, or a petition for rehearing pursuant to RCW 80.04.200 or RCW 81.04.200 and WAC 480-07-870.