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PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**Communications Division
Carrier Oversight & Programs Branch****RESOLUTION T-17206
July 30, 2009****R E S O L U T I O N**

Resolution T-17206, Revocation of Wireless Identification Registrations Issued to Commercial Mobile Radio Service Providers for Failure to Comply with Public Utilities Code Section 401 and following, Specifically the Filing of Public Utilities Commission Reimbursement Account Reports and the Remitting of Applicable Fees.

Summary

This resolution revokes eighty three (83) Wireless Identification Registrations (WIRs) held by the carriers listed in Appendix A, for failure to comply with Public Utilities Code Sections 401 through 435.

Background

WIRs are issued to Commercial Mobile Radio Service (CMRS) providers by letter from the Communications Division (CD) Director under the registration process established by Decision (D.) 94-10-031.

The California Public Utilities Commission (CPUC or Commission), pursuant to Public Utilities Code (PU Code) Sections 401 through 435 requires telephone carriers, including WIRs, to file reports with the Commission, either annually or quarterly depending on the level of carriers' California revenue, which show the amount of California Intrastate revenue earned. The annual report is called an Annual Fee Statement for CPUC Utilities Reimbursement Account Fees, and is mailed to carriers in December of every year. The carrier is required to remit CPUC Utilities Reimbursement Account Fees on the intrastate revenue it receives. Further, if the carrier is in default of the submission and/or payment of CPUC Utilities Reimbursement Account Fees for more than 30 days, the CPUC may suspend or revoke the certificate of public convenience and necessity, permit, or other operating authority of a person or corporation that is in such default

(PU Code 405). Carriers having zero (0) intrastate revenue are still required to file an annual CPUC Utilities Reimbursement Account Fee report indicating this zero revenue.

In December 2008 the CPUC Information and Management Services Division mailed a copy of the Annual Fee Statement for CPUC Utilities Reimbursement Account Fees for the period January 1, 2008 to December 31, 2008 (see Appendix B) to WIR carriers on this list (see Appendix A). A response was required by January 15, 2009 to this first notice.

After noting that many WIR carriers had failed to provide reports or fees by the due date, CD undertook the following steps to achieve compliance.

1. Prepared a list of those WIR carriers that had been delinquent in submitting reports or fees.
2. Sent a second notice during the week of April 8 to 10, 2009, to all delinquent WIR carriers by first class mail to remind them of the Commission reporting and fee requirements; carriers were instructed to report before May 11, 2009.

In total, CD sent notices to 114 WIR carriers. 10 WIR carriers voluntarily surrendered their registrations and 21 are submitting compliance reports as requested. However CD did not receive replies from 83 carriers. The notices were either returned to CD staff by the post office as undeliverable or the carrier did not answer by the extended due date. Those WIR carriers failing to respond are listed in Appendix A.

As the WIR carriers listed in Appendix A have failed to comply with the Commission's reporting and fee filing requirements, CD staff has prepared this Resolution to revoke the registrations of these WIR carriers.

Discussion

This resolution addresses the 83 WIR carriers who are in default of CPUC Utilities Reimbursement Account Fee report requirements under PU Code Section 401-435 and have not responded to Commission staff attempts to contact them. The registrations are listed in Appendix A. Through this Resolution we revoke the WIRs of these carriers.

It is reasonable to conclude that the WIR carriers who have failed to reply to Commission notices have gone out of business or are no longer offering CMRS service in California. Proper measures were taken by Commission staff to locate the carriers listed in Appendix A. Removing these carriers from our records is appropriate, as it would improve accuracy of our records in eliminating inactive carriers.

If any of the WIR carriers listed in Appendix A is in fact in business and continues operations after the effective date of this Resolution, we will require it to report all

revenues for 2008 and later and submit all fees and surcharges due including a 25% fine on fees and surcharges due before its WIR will be reinstated. CD should be authorized to collect the 25% fine on applicable fees and surcharges due from any WIR carrier seeking reinstatement, and CD will remit the fine to the State Treasury. Any carrier operating without a WIR that fails to abide by this requirement will be referred to the Consumer Protection and Safety Division for enforcement action.

CD's draft resolution in this matter was noticed in the PUC's Daily Calendar of June 30, 2009, in accordance with PU Code Section 311(g) (1).

Notice

Notice of carrier names on this Resolution also appeared on the PUC's Daily Calendar for 30 days. Interested parties are invited to contact CD staff with questions or comments on this Resolution.

Findings

1. The carriers listed in Appendix A are registered by CD as CMRS providers under the WIR registration process established by D.94-10-031.
2. Carriers are required to annually report California revenues and corresponding CPUC Utilities Reimbursement Account Fees under PU Code Sections 401 through 435.
3. The carriers listed in Appendix A have not timely filed CPUC Utilities Reimbursement Account Fee reports and corresponding fees.
4. Proper measures were taken by Commission staff to locate the companies listed in Appendix A. For the carriers that have failed to respond to Commission notifications, it is reasonable to conclude that these carriers have gone out of business or are no longer providing CMRS service in California.
5. The carriers' WIR registrations should be revoked and their WIR Identification Numbers should be cancelled under PU Code Section 405 for failure to comply with PU Code Sections 401 through 435.
6. If any WIR carrier listed in Appendix A is in fact in operation and is operating after the effective date of this Resolution, the carrier should report all gross intrastate revenues for 2008 and later and pay all applicable fees and surcharges due including a 25% fine before CD reinstates the carrier's WIR registration.

7. CD should be authorized to collect the 25% fine on applicable fees and surcharges due from any WIR carrier seeking reinstatement and remit the fine to the State Treasury.

THEREFORE, IT IS ORDERED that:

1. The Wireless Identification Registrations (WIRs) issued to the carriers listed in Appendix A are revoked.
2. The carriers' WIR Identification Numbers are canceled.
3. Any WIR carrier listed in Appendix A that seeks reinstatement after the effective date of this Resolution shall report all gross intrastate revenue for 2008 and later, and pay all applicable fees and surcharges including a 25% fine on applicable fees and surcharges.
4. The Communications Division is authorized to collect a 25% fine on all applicable fees and surcharges from any WIR carrier seeking reinstatement and remit the fine to the State Treasury.

This Resolution is effective today.

I hereby certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on July 30, 2009. The following Commissioners approved it:

PAUL CLANON
Executive Director

Appendix A
List of Carriers to be Revoked

	U Number	Type of Authority¹	Carrier Name
1	2002	RTU	ATLAS RADIOPHONE
2	2003	RTU	AUTO-PHONE COMPANY
3	2005	RTU	HENDREX RADIO COMMUNICATIONS
4	2009	RTU	SYLVAN B MAILS
5	2013	RTU	DELTA VALLEY RADIOTELEPHONE CO.
6	2021	RTU	HIGH SIERRA MOBILFONE, INC.
7	2023	RTU	MOBILEMEDIA COMMUNICATIONS INC.
8	2037	RTU	MOBILEPHONE OF HUMBOLT, INC.
9	2056	RTU	SISKIYOU TWO-WAY
10	2058	RTU	STICKTON MOBILPHONE. INC
11	2062	RTU	VALLEY MOBILE COMMUNICATIONS, INC.
12	2110	RTU	VINCENT COMMUNICATIONS, INC.
13	2144	RTU	TELECOMM SYSTEMS, INC.
14	2151	RTU	MARITIME COMM./LAND MOBILE
15	2152	RTU	SKYTEL CORPORATION.
16	2154	RTU	PHONECO, L.P.
17	3019	CEC	SANTA CRUZ CELLULAR TELEPHONE, INC
18	3034	CEC	CELLULAR PACIFIC
19	3049	CEC	KERN COUNTY CELLULAR TELEPHONE
20	3050	CEC	PRICE COMMUNICATIONS CELLULARS
21	3063	PCC	ALPINEPCS
22	3067	PCC	CENTRAL WIRELESS PARTNERSHIP
23	3070	PCC	OMNIWERX
24	3078	PCC	ALPINE PCS OPERATING. LLC
25	4004	CER	CELLULAR SERVICE, INC.
26	4042	CER	MY STORE, INC.
27	4055	CER	SOUTHERN CALIFORNIA TELEPHONE CO.
28	4056	CER	BAKERSFIELD CELLULAR
29	4057	CER	PRIME MATRIX WIRELESS COMMS INC.
30	4062	CER	PRIM/MATRIX, INC.
31	4075	CER	GENERAL MOBILE CELLULAR
32	4079	CER	CELLULAR FOR LESS
33	4081	CER	WIRELESS COMM. INTERACTIVE, INC
34	4082	CER	ABS TELEPHONE COMPANY INC
35	4085	CER	CELCAL
36	4090	CER	DIRECT PAGE COMMUNICATION
37	4091	CER	COAST CELLULAR CORPORATION
38	4093	CER	ATLANTIC CELLULAR
39	4102	CER	CALIFORNIA CELLULAR SERVICES
40	4103	CER	ROCK BOTTOM CELLULAR
41	4106	CER	CONEXONE COMMUNICATIONS, LLC
42	4109	CER	CALIFORNIA REAL ESTATE CEL. SVC.
43	4117	CER	WORLD WIDE CELLULAR INC.

¹ CEC = cellular facilities based, CER = cellular resale, RTU = 2-way paging, PCC = personal communications service

44	4122	CER	MATRIX CELLULAR RESOURCES INC.
45	4123	CER	SMARTEL CELLULAR TELECOMM, INC.
46	4127	CER	UNITED CELLULAR SERVICES
47	4134	CER	WIRELESS AIRTIME INC.
48	4150	CER	PREPAY TECHNOLOGIES, LLC
49	4159	CER	PREFERRED CELLULAR SERVICES
50	4162	CER	PRIME/MATRIX, INC.
51	4199	CER	UC COMPUTERS INC.
52	4200	CER	WORLDWIDE CELLULAR INC
53	4202	CER	AMERICAS CONEX, LLC
54	4203	CER	TRAVELERS TELECOMMUNICATIONS, INC
55	4206	CER	LEAST COST ROUTING INC.
56	4215	CER	TGEC
57	4216	CER	AMERICA ONE COMMUNICATIONS, INC
58	4247	CER	AMERICA ROAMING NETWORK, INC
59	4248	CER	SMARTPAY
60	4256	CER	OMNIWERX
61	4264	CER	SHARED TECHNOLOGIES CELLULAR, INC
62	4265	CER	BARU PETRO
63	4295	CER	MINORPLANET SYSTEMS USA, INC
64	4297	CER	TALKING DRUM, INC
65	4300	CER	TRAQ WIRELESS, INC
66	4302	CER	WIRELESS COMMUNICATIONS UNLIMITED
67	4312	CER	ENCORE TELECOMMUNICATIONS. LLC
68	4318	CER	WESTSIDE WIRELESS CONNECTION
69	4325	CER	TELONE WIRELESS, LLC
70	4331	CER	AIRLINK MOBILE, INC
71	4333	CER	ZEFCOM, LLC
72	4336	CER	PHONETEC PCS, LLC
73	4341	CER	ALPHA ENTERPRISE
74	4352	CER	FAITH COMMUNICATIONS, INC
75	4356	CER	EGC WIRELESS, INC
76	4357	CER	WDIG MOBILE, LLC
77	4359	CER	ACN COMMUNICATION SERVICES, INC
78	4362	CER	TELECOM SYS. CORP OF MARYLAND
79	4365	CER	KDDI AMERICA, INC
80	4367	CER	GTC TELECOM CORP
81	4368	CER	WHERIFY WIRELESS, INC
82	4370	CER	KAJEET, INC
83	4373	CER	XE MOBILE 55, LLC

End of Appendix A

Appendix B

Fund 0462-PUCURA

CALIFORNIA PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA
PO Box 942867
Sacramento CA 94267-7081
December 1, 2008

TELCO/A - Webform
800

Utility ID Number: U- _____ (Circle One)
 Utility Type: CEC CER CLC CLR IEC
 IER LEC PCC RTU

Utility Name _____
 Utility Address _____
 Utility City, State Zip: _____
 Name of Report Preparer: _____

Annual Fee Statement for CPUC Utilities Reimbursement Account, California Cellular Carriers or Telephone and Telegraph Corporations, pursuant to Chapter 2.5 Part 1, Division 1, Public Utilities Code, for the period January 1, 2008 to December 31, 2008.

Utilities shall make payment of the fee to the Commission on or before January 15, 2009, consistent with Section 433(a) of the California Public Utilities Code.

1. Gross Intrastate customer billings \$ _____

2. Less Intrastate customer billings (if reported on line 1):

 A. Directory advertising and sales \$ _____

 B. Terminal equipment sales \$ _____

 C. Inter-utility sales \$ _____

 D. Total of above exclusions \$ _____

3. Adjusted Intrastate customer billing (line 1 minus line 2D) \$ _____

4. Fee (multiply line 3 by .0018 or enter actual amount billed) \$ _____

5. Optional uncollectibles: Rate case factor _____
 (multiply factor by line 4) \$ _____

6. Optional adjustments (enter both or neither):

 A. Interest earned on fees collected \$ _____

 B. Administrative costs on fees collected \$ _____

 C. Subtotal (line 6A minus line 6B, if used) \$ _____

7. Fees Due (line 4 minus line 5 if used; plus or minus line 6C) \$ _____

Verification: I hereby declare the foregoing information is true and correct to the best of my knowledge and belief.

 Type or print Name and Title (Area Code) Phone Number

 Signature Date

Please send remittance payable to "CPUC" with this completed and signed fee statement to the above address. All checks returned from the bank will incur a \$10 service charge to the CPUC.

For more information, contact: Carmelita Reyes at (415) 703-2986

End of Appendix B