

DRAFT

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**Communications Division
Carrier Oversight & Programs Branch****RESOLUTION T-17228
November 20, 2009****R E S O L U T I O N**

Resolution T-17228, Operating Authority Revocation of Licenses of Telephone Corporations for their Failure to Comply with the Commission's Reimbursement Account Fee Filing and Reporting Requirements of Public Utilities Code Section 401 through 435.

Summary

This resolution revokes operating authorities held by ninety seven (97) telephone corporations listed in Appendix A for failing to comply with the California Public Utilities Reimbursement Account Fee filing and reporting requirements of Public Utilities Code Sections 401 through 435.

Background

Operating authorities are issued to telephone corporations by order of the California Public Utilities Commission (CPUC or Commission). Public Utilities (PU) Code Sections 401 through 435 require telephone corporations to report their California revenues, either annually or quarterly depending on the level of their intrastate revenue, and remit corresponding CPUC Utilities Reimbursement Account Fees. Carriers having zero (0) intrastate revenue are still required to make their filing and indicate this zero revenue. If a corporation 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 operating authority under PU Code section 405.

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 telephone corporations listed in Appendix A. The notice required the telephone corporations to respond by January 15, 2009.

Because many telephone corporations did not submit their reports or submit fees by the due date, the Commissions Division (CD) undertook the following steps to achieve compliance:

1. Identified and prepared a list of telephone corporations that were delinquent in submitting reports or fees.
2. Mailed a second notice on August 14, 2009, to all delinquent telephone corporations by a first class mail to remind them of the Commission reporting and fee requirements and instructed the carriers to report before September 15, 2009.

In total, CD sent notices to 273 telephone corporations. Seven telephone corporations voluntarily surrendered their registrations and 169 submitted reports as requested. Ninety seven (97) telephone corporations, however, did not respond to the notice. The notices were either returned to CD by the post office as undeliverable or the telephone corporations did not answer by the extended due date. Telephone corporations that failed to respond are listed in Appendix A.

Since the telephone corporations 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 operating authorities of these telephone corporations.

Discussion

This resolution addresses 97 telephone corporations that are in default of CPUC Utilities Reimbursement Account Fee filing and reporting requirements of PU Code Section 401-435. These carriers have not responded to Commission staff's attempts to contact them. Through this Resolution, we revoke the operating authorities of the telephone corporations listed in Appendix A.

It is reasonable to conclude that the telephone corporations that have failed to reply to the Commission notices have either gone out of business or are no longer offering telephone 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 telephone corporations.

If any of the telephone corporations listed in Appendix A is still in business and continues operations after the effective date of this Resolution, we will require it to report all revenues from 2008 to present and submit all fees and surcharges due including a 25% fine on fees and surcharges before reinstating its operating authority. CD should be authorized to collect the 25% fine on applicable fees and surcharges due from any telephone corporation seeking reinstatement, and CD will remit the fine to the State Treasury. Any telephone corporation operating without a proper operating

authority from the Commission 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 October 19, 2009 in accordance with PU Code Section 311(g) (1).

Notice and Protests

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

No formal protests were submitted in response to this resolution. However, many carriers reacted to this draft resolution by subsequently submitting reports and/or user fees to our Fiscal Office as required in order to avoid a revocation order. As such, CD is pleased to report that its proposed revocation list has dropped from 176 to 97 carriers.

Findings

1. The telephone corporations listed in Appendix A have received operating authority from the Commission.
2. Public Utilities Code sections 401 through 435 require telephone corporations to annually or quarterly report California revenues and remit corresponding CPUC Utilities Reimbursement Account Fees.
3. The telephone corporations listed in Appendix A have not timely filed CPUC Utilities Reimbursement Account Fee reports and corresponding fees.
4. Commission staff undertook all proper measures to locate the companies listed in Appendix A.
5. For the telephone corporations that have failed to respond to Commission notifications, it is reasonable to conclude that these telephone corporations have either gone out of business or are no longer providing telephone service in California.
6. Operating authorities of the telephone corporations listed in Appendix A should be revoked and their Telephone Utility Identification Numbers should be cancelled under PU Code Section 405 for failing to comply with the requirements of PU Code Sections 401 through 435.
7. If any telephone corporation listed in Appendix A is in fact in operation and is operating after the effective date of this Resolution, the telephone corporation

shall report all gross intrastate revenues from 2008 to present and pay all applicable fees and surcharges due including a 25% fine, in order to have its operating authority reinstated by the Commission.

8. CD should be authorized to collect a 25% fine on all applicable fees and surcharges due from any telephone corporation that seeks reinstatement of its operating authority. CD shall remit the fine to the State Treasury.

THEREFORE, IT IS ORDERED that:

1. The operating authorities issued to the telephone corporations listed in Appendix A are revoked.
2. The Telephone Utility Identification Numbers of the telephone corporations listed in Appendix A are canceled.
3. Any telephone corporation listed in Appendix A that seeks reinstatement after the effective date of this Resolution shall report all gross intrastate revenue from 2008 to present 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 telephone corporation that is seeking a reinstatement of its operating authority 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 November 20, 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	5055	IEC	GST CALL AMERICA
2	5401	IEC	TTI TELECOMMUNICATIONS INC.
3	5402	IEC	EQUALNET CORPORATION
4	5431	IEC,CLR	MOVING BYTES
5	5441	IEC,CLR	ECI COMMUNICATIONS, INC. (SEE DBA)
6	5464	IEC	HOME OWNERS LONG DISTANCE, INC.
7	5487	IEC	NETEL NETWORK TELECOMMUNICATIONS INC.
8	5492	IEC	I.N.S INTERACTIVE NETWORK SYSTEMS, LLC
9	5493	IEC,CLR	CALTECH INTERNATIONAL TELECOM CORPORATION
10	5531	IEC,CLC	WINSTAR COMMUNICATIONS, LLC
11	5533	IEC	EQUALNET CORP
12	5534	IEC	CCI COMMUNICATIONS SPECIALISTS INC.
13	5549	IEC	AT&T BROADBAND PHONE OF CALIFORNIA, LLC
14	5571	IEC	NETWORK UTILIZATION SERVICES(AMERICOM)
15	5580	IEC,CLR	BAKERSFIELD CELLULAR TELEPHONE
16	5584	IEC	STARLINK COMMUNICATIONS, LLC
17	5590	IEC	CORPORATE SERVICES TELCOM, INC.
18	5624	IEC	ATLAS COMMUNICATIONS, LTD.
19	5641	IEC,CLC	PREFERRED CARRIER SERVICES, INC.
20	5659	IEC	CASH BACK REBATES LD.COM, INC
21	5677	IEC	GLOBAL TELECOM NETWORK
22	5690	IEC,CLR	GROUP LONG DISTANCE
23	5693	IEC	CALL PLUS, INC.
24	5699	IEC	ZENEX LONG DISTANCE, INC.
25	5717	IEC	PT-1 COMMUNICATIONS, INC.
26	5720	IEC	FARECALL CORPORATION
27	5726	CLR	AMERICAS CONEX LLC
28	5757	IEC	DANCRIS TELECOM, LLC
29	5793	IEC	DIVERSIFIED SOLUTIONS, INC.
30	5839	IEC	OPENTEL COMMUNICATIONS INC.
31	6043	IEC	CENTRAL WIRELESS PARTNERSHIP
32	6149	IEC	NEW GLOBAL TELECOM, INC.
33	6373	IEC	EAS COMMUNICATION, INC.
34	6487	IEC,CLC	LOCAL FIBER, LLC
35	6538	IEC	QUICK TEL, INC.
36	6573	IEC,CLC	RGB COMMUNICATIONS, LLC

¹ IEC = Interexchange Carrier, IER = Interexchange Reseller, CLC = Competitive Local Carrier, CLR = Competitive Local Reseller.

37	6630	IER	ATMC, INC.
38	6635	IEC	CALMTEL USA, INC.
39	6679	IER	ALLIANCE PAYPHONE, INC.
40	6682	IEC,IER,CLC	INFONE, LLC
41	6751	IEC	NATIONAL VIDEOPHONE
42	6768	IER	AMERICAN INTERNET COMMUNICATIONS, LLC
43	6783	IER	CI2
44	6804	IER	TELE CIRCUIT NETWORK CORPORATION
45	6806	IEC	ZEPHYR COMMUNICATIONS, LLC
46	6841	IEC	GLOBAL TOUCH TELECOM, INC.
47	6845	IEC	DACOM AMERICA, INC.
48	6846	IER	EXPERTISE TECHNOLOGY INNOVATION, INC.
49	6848	IER	TALK VISUAL CORPORATION
50	6851	IEC,CLC	AMCOM COMMUNICATIONS CORPORATION
51	6855	IER	GLOBAL ACCESS LD, LLC
52	6858	IER,CLC,CLR	METRO TELECONNECT COMPANIES, INC.
53	6866	IER	TELEWEST IV, INC.
54	6867	IER,CLC,CLR	CHINA TELECOM (USA) CORPORATION
55	6868	IER,CLC,CLR	DIRECT TELEPHONE COMPANY, INC.
56	6869	IER	GLOBAL TELECOMMUNICATIONS CORPORATION
57	6872	IER	GALWAY TELECOMMUNICATIONS, LLC
58	6880	IER	ECLIPSE COMMUNICATIONS, INC.
59	6894	IER,CLR	ESODUS COMMUNICATIONS, INC.
60	6909	IEC,CLC	MERCURY TELECOM, INC.
61	6911	IEC,CLC	HABLA COMUNICACIONES, INC.
62	6918	IER	FONEBOOTH NETWORKS, INC.
63	6922	IER	KIESLING SERVICES, INC
64	6930	IER	COMMEX COMMUNICATIONS, INC
65	6932	IER	HISPANIC COMMUNICATIONS, INC.
66	6935	IER,CLR	FLORA COM, LLC
67	6947	IER	G2G TELECOM, INC.
68	6950	IER	STS CONNECT, INC.
69	6953	IER	RAZA TELECOM, INC.
70	6967	IER	RED RIVER NETWORKS, LLC
71	6983	IER	BEST RATE COMMUNICATION, INC
72	6986	IEC	ALTURA INTERNATIONAL, LLC
73	6987	IER	GLOBAL TELELINKS, INC.
74	6993	IER	JAMBO, INC.
75	6994	IER	ACROSS THE GLOBE TELECOMMUNICATIONS, INC.
76	7005	IER	V-GLOBAL COMMUNICATIONS, INC.
77	7008	IER	AVT GROUP, INC.
78	7009	IEC	TOUCH-TEL USA L.P.
79	7019	CLC,CLR	YGNITION NETWORKS, INC
80	7020	IER	KONCEPT INTERNATIONAL, INC.
81	7021	CLC,CLR	GLOBETEL, INC
82	7036	IER,CLC,CLR	TALKFREETO, INC.
83	7039	IER	SPACE NET LLC
84	7042	IER	TOM MCVEIGH

85	7047	IEC,CLC,CLR	PHONE POWER TELECOM, LLC
86	7061	IER,CLC,CLR	WIDE VOICE, LLC
87	7067	IEC,CLR	EBLC TELECOM, INC.
88	7080	IER,CLR	DYNALINK COMMUNICATIONS, INC.
89	7084	IER	OPTIC INTERNET PROTOCOL, INC
90	7086	IER	GLOBAL TELECOM SYSTEM, INC
91	7087	IEC	OCTAGON NETWORKS, INC
92	7090	IER,CLC,CLR	CCG COMMUNICATIONS, LLC
93	7096	IEC,CLC,CLR	SOLARITY COMMUNICATIONS, LLC
94	7102	IER	SKYNET COMMUNICATIONS, INC.
95	7103	IEC,IER	UNITED COMMUNICATIONS SYSTEMS, INC.
96	7114	IER	EFFECTIVE NUTRITION SYSTEMS, INC.
97	7124	IER,CLC,CLR	EMC TELECOM CORPORATION

End of Appendix A

Appendix B

Fund 0462-PUUCURA

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