



April 25, 2013

Becky L. Beier  
Commission Secretary  
Oregon Public Utility Commission  
550 Capitol Street NE Ste 215  
Salem, OR 97308-2148

Re: Cancellation of Certificate in Order Number 13 122 (“Order”)  
Cypress Communications Operating Company, LLC (“Company”)

Dear Ms. Beier:

Please accept this request for reconsideration on behalf of the Company of the above-referenced Order. In support of this request, the Company submits the following information:

1. An explanation of why the company was unable to comply with the Commission rules;

At the end of September, 2012, the Company experienced a change in its staff. During this time of transition, the Third Quarter filing was inadvertently missed however subsequently filed on January 15, 2013 to bring the Company in to compliance. It was then brought to the Company’s attention on February 28, 2013 that the Third Quarter payment was not received by the Commission. The Company immediately processed and re-sent the payment via overnight delivery to be received by the Commission on March 11, 2013. The Company therefore complied by paying all fees due for the third and fourth quarter.

During this time, the Company was in contact with Commission staff and believed this matter to be resolved. Attached hereto is an e-mail dated March 14, 2013, where Commission staff person Elaine Cookingham stated the fees for the Third Quarter were received and the proposed Order was closed. She further indicates that the Company owed an additional \$8.51 and reminded the Company of its obligation to provide the Annual Fee Statement prior to the March 31<sup>st</sup> deadline. In response to this staff communication, the Company timely filed its Annual Fee Statement and overnighted payment of the balance due of \$8.51. At the time of this submission, the Company is current and up to date on its compliance obligations in the State of Oregon.

2. An explanation of why the previously submitted corrective plan failed to ensure compliance;

Please see the explanation in response to Question No. 1 as to the circumstances that led to the delinquent payment and the steps taken to correct the matter. At the time of the Order, the Company had filed all reports and paid all fees due. The Company was therefore in compliance in the State of Oregon. The Company understands and commits to adherence to the Oregon USF's following schedule:

#### OUSF Payment Schedule

QUARTERS	Report and Payment Due
1st January 1 – March 31	The following - May 28
2nd April 1 - June 30	The following - August 28
3rd July 1- September 30	The following - November 28
4th October 1 - December 31	The following - February 28

3. A statement of why it is in the public interest for the Commission to reconsider or grant new authority since the company has repeatedly failed to comply with Commission rules;

It is in the public interest to rescind the Order because the Company was in compliance at the time the Order was written. Additionally, and more importantly, the Company currently provides services to six (6) businesses in Oregon. Cancellation of its certification will result in disruption of service to these consumers. It is, therefore, in the public interest to reconsider and rescind the Order.

4. Proof of payment of all outstanding revenue fees, including late payment fees, owed for each calendar year of operation pursuant to ORS 756.310(6)(a), in accordance with Commission requirements;

Please see the attached copy of the Company's timely filed Annual Fee Statement.

5. Proof of compliance with Oregon Universal Service Fund requirements pursuant to ORS 759.425;

Please see the attached screenshot of the Universal Service Fund Account for the Company for the Third and Fourth quarters of 2012. The Company currently has a zero balance due.

6. Proof of filing of any annual reports outstanding pursuant to OAR 860-032-0060.

Please see the attached copy of the Company's timely filed Annual Fee Statement.

Based upon the information above, the Company respectfully requests that the Commission rescind the Cancellation of Certificate in Order Number 13 122. Should you require additional information, please feel free to contact me at 216-373-4811 or at [agertsburg@broadvox.com](mailto:agertsburg@broadvox.com).

Sincerely,

A handwritten signature in black ink, appearing to read 'Alex Gertsburg', with a long horizontal flourish extending to the right.

Alex Gertsburg  
General Counsel

Attachments