

ORDER NO. 20-278
ENTERED Aug 25 2020

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

CP 1581

In the Matter of the Cancellation of the
Certificate of Authority Held by HAMR
COMMUNICATIONS, LLC.

ORDER

DISPOSITION: CERTIFICATE OF AUTHORITY CANCELED

On August 9, 2016, HAMR Communications, LLC (HAMR) was granted a certificate of authority to provide telecommunications service in Oregon as a competitive provider. *See* Order No. 16-298.

HAMR has failed to comply with Oregon Universal Service Fund (OUSF) requirements for 4th Quarter 2019 and 1st Quarter 2020 per ORS 759.425 and OAR 860-100-0110.

HAMR has also failed to file a 2019 annual report as required by OAR 860-032-0060, and failed to pay 2019 annual revenue fees as required by ORS 756.310 and OAR 860-032-0095.

Commission staff has made numerous attempts to notify HAMR of the delinquencies and potential cancellation. HAMR failed to file the required reports in a timely manner to avoid cancellation.

ORS 756.515(4) provides that the Commission may, after investigation, but without hearing, make such findings and orders as deemed justified by the results of the investigation. In view of the foregoing, the Commission determined at its August 25, 2020, Public Meeting that HAMR's certificate of authority to provide telecommunications service should be canceled, per OAR 860-032-0008(2), as HAMR has failed to comply with Commission rules and terms of the certificate. HAMR is reminded that because it had a certificate of authority for one or more days during 2020, it is required to file an annual fee statement and pay a minimum of \$100 for that year.

The Commission notes that this is the second time it has canceled a certificate held by HAMR since its certificate of authority to provide telecommunications service as a competitive provider in Oregon was first issued on August 27, 2015 (*see* Order No. 15-261). The first cancellation was in July 2016, for failure to comply with OUSF and annual revenue fee requirements (*see* Order No. 16-265). HAMR filed and paid the delinquent reports and fees within the reconsideration period. Accordingly, HAMR's cancellation was rescinded in August 2016 (*see* Order No. 16-298).

The Commission expects all companies to comply with the requirements of certification, including submitting all reports and payments on time. Should the company request reconsideration of this order or apply for new authority, it must fully comply with Commission rules. Any future application or request for reconsideration must include, as applicable:

1. An explanation of why the company was unable to comply with Commission rules, and a plan for future compliance;
2. Proof of payment of all outstanding revenue fees, including late payment fees, owed for each calendar year of operation pursuant to ORS 756.310(4)(a) and OAR 860-032-0095, in accordance with Commission requirements;
3. Proof of compliance with OUSF requirements pursuant to ORS 759.425 and OAR 860-100-0110;
4. Proof of filing of any outstanding annual reports pursuant to OAR 860-032-0060; and
5. Proof of compliance with Residential Service Protection Fund (RSPF) requirements pursuant to ORS chapter 290, section 7, Oregon Laws 1987, and OAR 860-033-0006.

If HAMR fails to include these items with its application, the Commission will deem the application incomplete.

IT IS ORDERED that the certificate of authority held by HAMR Communications, LLC is canceled.

Made, entered, and effective Aug 25, 2020.



BY THE COMMISSION:

A handwritten signature in blue ink, appearing to read "Michael Dougherty", is written over a horizontal line.

Michael Dougherty
Chief Operating Officer

A party may request rehearing or reconsideration of this order under ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-001-0720. A copy of the request must also be served on each party to the proceedings as provided in OAR 860-001-0180(2). A party may appeal this order by filing a petition for review with the Court of Appeals in compliance with ORS 183.480 through 183.484.