

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

CP 574

In the Matter of the Cancellation of the )  
Certificate of Authority Held by ) ORDER  
PAC-WEST TELECOMM INC. )

**DISPOSITION: CERTIFICATE OF AUTHORITY CANCELLED**

On March 18, 1999, Pac-West Telecomm Inc. was granted a certificate of authority to provide telecommunications service in Oregon as a competitive provider. *See Order No. 99-229.*

Pac-West Telecomm Inc. has failed to file the 3<sup>rd</sup> Quarter 2007 OUS2 form to comply with Oregon Universal Service Fund requirements per ORS 759.425.

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 April 8, 2008, Public Meeting that the certificate holder has failed to comply with Commission rules and terms of the certificate. The certificate of authority to provide telecommunications service should be cancelled, per OAR 860-032-0008(2). The company is reminded that because it had a certificate of authority for one or more days during 2007, it is required to file an annual fee statement and pay a minimum of \$100 for that year.

The Commission also concludes that it will not process a future application filed by the certificate holder for certification as a competitive provider, unless the certificate holder fully complies with Commission rules. Any future application must include:

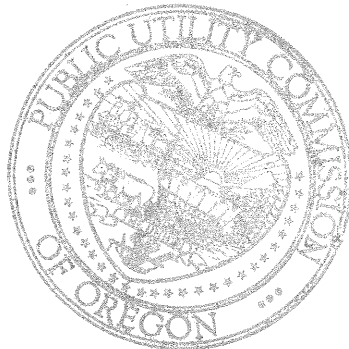
1. Payment of all revenue fees, including all applicable late fees, owed for each calendar year of operation as a certified telecommunications provider pursuant to ORS 756.310(6)(a), in accordance with Commission requirements;
2. Confirmation of compliance with Oregon Universal Service Fund (OUSF) requirements pursuant to ORS 759.425 and OAR 860-032-0610 through 860-032-0660. All OUSF reports, contributions, late payment penalties, interest and late statement fees are due and owing for all quarter of operation, regardless of whether the telecommunications service provider held a certificate for the applicable period(s); and

3. Annual reports for each calendar year of operation as a certified telecommunications provider pursuant to OAR 860-032-0060.

To summarize, the certificate holder must include: (a) all fees and documents for each year of operation it held a valid certificate of authority from this Commission, and (b) all OUSF reports, contributions, penalties, interest and late fees as set forth in number (2) above regardless of whether the telecommunications service provider held a certificate for the applicable period(s). If the certificate holder fails to include these items with its application, the Commission will deem the application incomplete and return it.

IT IS ORDERED that the certificate of authority held by Pac-West Telecomm Inc. is cancelled.

Made, entered, and effective APR 21 2008.



BY THE COMMISSION

  
\_\_\_\_\_  
Becky Beier  
Commission Secretary

A party may request rehearing or reconsideration of this order pursuant to 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 860-014-0095. A copy of any such request must also be served on each party to the proceeding as provided by OAR 860-013-0070(2). A party may appeal this order by filing a petition for review with the Court of Appeals in compliance with ORS 183.480-183.484.

Document1