

ORDER NO. 13 1 1 1

ENTERED MAR 28 2013

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

CP 1448

In the Matter of the Cancellation of the
Certificate of Authority Held by YAK
AMERICA, INC.

ORDER

DISPOSITION: CERTIFICATE OF AUTHORITY CANCELED

On July 6, 2009, Yak America, Inc. was granted a certificate of authority to provide telecommunications service in Oregon as a competitive provider. *See* Order No. 09-256. Yak America Inc. had a previous certificate of authority, docket CP 1122, Order No. 03-025 which was canceled and reconsideration was not requested. *See* Order No. 08-227.

Yak America, Inc. failed to submit the 3rd Quarter 2012 \$100 late statement fee 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 March 12, 2013, Public Meeting that the certificate holder failed to comply with Commission rules and terms of the certificate. The certificate of authority to provide telecommunications service should be canceled, per OAR 860-032-0008(2). The company is reminded that because it had a certificate of authority for one or more days during 2013, 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 the certificate holder. Before the Commission will process any future application for certification, the certificate holder must fully comply with Commission rules. Any future application must include:

1. An explanation of why the company was unable to comply with the Commission rules;
2. Proof of payment of all outstanding revenue fees, including all applicable late fees, owed for each calendar year of operation as a certified telecommunications provider pursuant to ORS 756.310(4)(a), in accordance with Commission requirements;

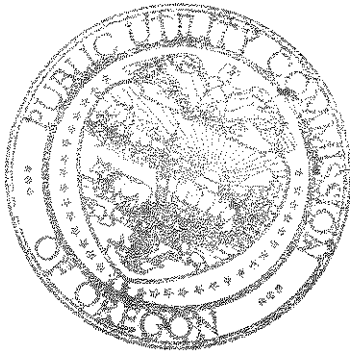
- 3. Proof of compliance with Oregon Universal Service Fund (OUSF) requirements pursuant to ORS 759.425; and
- 4. Proof of filing of any outstanding annual reports pursuant to OAR 860-032-0060.

If the certificate holder fails to include these items with its application, the Commission will deem the application incomplete and deny it.

IT IS ORDERED that the certificate of authority held by Yak America, Inc. is canceled.

Made, entered, and effective MAR 28 2013

BY THE COMMISSION:



Becky L. Beier

Becky L. Beier
 Commission Secretary

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.

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