

ORDER NO. 13 262

ENTERED JUL 15 2013

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

CP 1463

In the Matter of the Cancellation of the
Certificate of Authority Held by MBC
TELECOM, LLC.

ORDER

DISPOSITION: CERTIFICATE OF AUTHORITY CANCELED

On December 30, 2009, MBC Telecom, LLC was granted a certificate of authority to provide telecommunications service in Oregon as a competitive provider. See Order No. 09-508.

The certificate holder failed to file an annual report for 2012 as required by OAR 860-032-0060(2)(a). On April 18, May 2, and May 31, 2013, the Commission notified the certificate holder that the report had not been received. The certificate holder failed to respond to the original request for the annual report as well as subsequent notifications.

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 July 2, 2013, 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 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 expects all companies to comply with the requirements of certification, including submitting all reports and payments on time. 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 or reconsideration of this order, the certificate holder 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 the Commission rules;

2. A detailed plan of action, including specific measures the company has put in place to prevent future noncompliance, and the name and contact information of the responsible party;
3. 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), in accordance with Commission requirements;
4. Proof of compliance with Oregon Universal Service Fund (OUSF) requirements pursuant to ORS 759.425;
5. Proof of filing of any outstanding annual reports pursuant to OAR 860-032-0060; and
6. Proof of compliance with Residential Service Protection Fund (RSPF) requirements pursuant to ORS 290, Section 7, Oregon Laws 1987, and OAR 860-033-0006.

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 MBC Telecom, LLC is canceled.

Made, entered, and effective JUL 15 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.