

ORDER NO. 14 133

ENTERED APR 17 2014

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

CP 574

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

ORDER

**DISPOSITION: CERTIFICATE OF AUTHORITY CANCELED**

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 comply with Residential Service Protection Fund (RSPF) requirements pursuant to ORS Chapter 290, Section 7, Oregon Laws 1987, and OAR 860-033-0006, as well as Oregon Universal Service Fund (OUSF) requirements pursuant to ORS 759.425.

On January 27, 2014, March 6, 2014, and April 1, 2014, the Commission notified the certificate holder that the required reports and surcharges had not been received, and that the certificate would be canceled. The certificate holder failed to respond.

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 15, 2014, 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 2014, 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. Should the company request reconsideration of this order or apply for new authority, it must fully comply with all Commission rules. Any future application or request for reconsideration must include, as applicable:

1. 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;
2. Proof of compliance with OUSF requirements pursuant to ORS 759.425;
3. Proof of filing of any outstanding annual reports pursuant to OAR 860-032-0060; and
4. Proof of compliance with RSPF requirements pursuant to ORS Chapter 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 decline it.

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

Made, entered, and effective APR 17 2014.

BY THE COMMISSION:



*Becky L. Beier*  
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**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.