

ORDER NO. 15 224

ENTERED JUL 28 2015

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

CP 1328

In the Matter of the Cancellation of the
Certificate of Authority Held by YESTEL
USA, INC.

ORDER

DISPOSITION: CERTIFICATE OF AUTHORITY CANCELED

On June 23, 2006, Yestel USA, Inc. (Yestel) was granted a certificate of authority to provide telecommunications service in Oregon as a competitive provider.
See Order No. 06-320.

Yestel has failed to comply with Oregon Universal Service Fund requirements per ORS 759.425. Yestel was notified of the delinquency on May 28, June 2, and June 4, 2015, but failed to respond.

Yestel also failed to file an annual report for 2014 as required by OAR 860-032-0060(2)(a). On April 27, May 18, and June 16, 2015, the Commission notified Yestel that the report had not been received. Yestel again failed to respond.

Yestel also did not pay revenue fees for 2014 as required by ORS 756.310. On April 17, May 7, and June 8, 2015, the Commission notified Yestel that the required fees were not received. Yestel again failed to respond.

Mail to Yestel was returned and Yestel could not be located. Apparently, Yestel changed its address and did not notify the Commission, a violation of OAR 860-032-0007(13).

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 21, 2015, 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 2015, 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. Confirmation of compliance with 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 quarters of operation, regardless of whether the telecommunications service provider held a certificate for the applicable period(s);
2. Annual reports for each calendar year of operation as a certified telecommunications provider pursuant to OAR 860-032-0060; and
3. 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(4)(a), in accordance with Commission requirements.

If Yestel 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 Yestel USA, Inc. is canceled.

Made, entered, and effective JUL 28 2015

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.