

ORDER NO. 16 264

ENTERED

JUL 14 2016

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

CP 1521

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

ORDER

**DISPOSITION: CERTIFICATE OF AUTHORITY CANCELED**

On April 24, 1992, Telecare, Inc. (Telecare) was granted a certificate of authority to provide telecommunications service in Oregon as a competitive provider. *See* Order No. 92-594.

Telecare has failed to comply with Oregon Universal Service Fund (OUSF) requirements for 4<sup>th</sup> Quarter 2015 and 1<sup>st</sup> Quarter 2016 per ORS 759.425 and OAR 860-032-0610 through 860-032-0660.

Telecare also failed to file a 2015 annual report as required by OAR 860-032-0060(2)(a), and failed to pay 2015 annual revenue fees as required by ORS 756.310 and OAR 860-032-0095.

Commission staff has made numerous attempts to notify Telecare of the delinquencies and potential cancellation. Telecare failed to respond, and cannot be reached through any of its official contact information.

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 5, 2016, 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). Telecare is reminded that because it had a certificate of authority for one or more days during 2016, it is required to file an annual fee statement and pay a minimum of \$100 for that year.

This is the fourth time the Commission has had to cancel a certificate held by Telecare since its certificate of authority to provide telecommunications service as a competitive provider in Oregon was issued in April 1992. *See* Order No. 92-594, Docket UM 475. The first cancellation was in May 2005 for failure to file OUS reports. *See* Order No. 05-244. After filing the delinquent report, the cancellation order was rescinded. *See* Order No. 05-857.

The second cancellation was in May 2008 for failure to file 2007 annual fee statements and revenue fees. *See* Order No. 08-287. Telecare did not file for reconsideration of Order No. 08-287 during the 60-day reconsideration period.

Telecare subsequently filed the requested reports and applied for a new certificate of authority in December 2008. A new docket was established for the application. *See* Order No. 09-028, Docket CP 1439.

The third cancellation was in August 2010 for failure to file 2009 annual fee statements and revenue fees. *See* Order No. 10-311. Telecare did not file for reconsideration of Order No. 10-311 during the 60-day reconsideration period.

Telecare subsequently filed the requested reports and applied for a new certificate of authority in January 2012. A new docket was established for the application. *See* Order No. 12-038, Docket CP 1521. It is that certificate that is now being canceled by this order, the fourth cancellation for this company.

Repeated failure to comply with Commission rules is a serious offense. A company that continually fails to comply with Commission rules forces a question of whether it is in the public interest to grant that company further authority to provide service. This is the fourth time Telecare has had its certificate of authority canceled due to failure to comply with Commission rules. The Commission expects all companies to comply with the requirements of certification, including submitting all reports and payments on time. Telecare is no exception. 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. An explanation of why the company was unable to comply with the Commission rules;
2. An explanation of why the previously submitted corrective plan failed to ensure compliance;
3. A statement of why it is in the public interest for the Commission to reconsider or grant new authority given that the company has repeatedly failed to comply with Commission rules;
4. 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) and OAR 860-032-0095, in accordance with Commission requirements;
5. Proof of compliance with OUSF requirements pursuant to ORS 759.425 and OAR 860-032-0610 through 860-032-0660;
6. Proof of filing of any outstanding annual reports pursuant to OAR 860-032-0060; and
7. Proof of compliance with Residential Service Protection Fund (RSPF) requirements pursuant to ORS chapter 290, section 7, Oregon Laws 1987, and OAR 860-033-0006.

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

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

Made, entered, and effective JUL 14 2016.

BY THE COMMISSION:



A handwritten signature in blue ink, appearing to read "Kristi Collins", is written over a horizontal line.

**Kristi Collins**  
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.