

ORDER NO. 17 044

ENTERED FEB 09 2017

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

CP 1366

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

ORDER

**DISPOSITION: CERTIFICATE OF AUTHORITY CANCELED**

On October 11, 2002, NECC Telecom, Inc. (NECC) was granted a certificate of authority to provide telecommunications service in Oregon as a competitive provider. See Order No. 02-697.

NECC has failed to comply with Oregon Universal Service Fund (OUSF) requirements per ORS 759.425 and OAR 860-100-0100 through 860-100-0160. NECC failed to file its 2<sup>nd</sup> Quarter 2016 and 3<sup>rd</sup> Quarter 2016 OUSF contribution statements and pay the associated fees.

Commission staff has made numerous attempts to notify NECC of the delinquencies and potential cancellation. NECC 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 February 7, 2017, Public Meeting that NECC 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 860-032-0015. NECC is reminded that because it had a certificate of authority for one or more days during 2017, 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 NECC. Before the Commission will process any future application for certification, NECC must fully comply with Commission rules. Any future application must include, as applicable:

1. An explanation of why the company was unable to comply with Commission rules;
2. 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;

3. Proof of compliance with OUSF requirements pursuant to ORS 759.425 and OAR 860-100-0100 through 860-100-0160;
4. Proof of filing of any outstanding annual reports pursuant to OAR 860-032-0060; and
5. 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.

If NECC 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 NECC Telecom, Inc. is canceled.

Made, entered, and effective FEB 09 2017

BY THE COMMISSION:



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

**Michael Dougherty**  
Chief Operating Officer

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.