

ORDER NO. **17 300**

ENTERED **AUG 10 2017**

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

CP 1386

In the Matter of the Cancellation of the
Certificate of Authority Held by NEXUS
COMMUNICATIONS, INC. D/B/A
NEXUS-TSI.

ORDER

DISPOSITION: CERTIFICATE OF AUTHORITY CANCELED

On October 31, 2007, Nexus Communications, Inc. d/b/a Nexus-TSI (Nexus) was granted a certificate of authority to provide telecommunications service in Oregon as a competitive provider. *See* Order No. 07-484.

Nexus has failed to comply with Oregon Universal Service Fund (OUSF) requirements for 1st Quarter 2017 per ORS 759.425 and OAR 860-100-0100 through 860-100-0160.

Nexus also failed to file a 2016 annual report as required by OAR 860-032-0060(2)(a), and failed to pay 2016 annual revenue fees as required by ORS 756.310 and OAR 860-032-0095.

Commission staff has made numerous attempts to notify Nexus of the delinquencies and potential cancellation. Nexus 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 August 8, 2017, Public Meeting that Nexus 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). Nexus 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 also concludes that it will not process a future application filed by Nexus for certification as a competitive provider unless Nexus fully complies 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 Nexus 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 Nexus Communications, Inc. d/b/a Nexus-TSI is canceled.

Made, entered, and effective August 10, 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.