

ORDER NO. 24-266

ENTERED Aug 12 2024

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

CP 1603

In the Matter of

MODUS INC,

Cancellation of Certificate of Authority.

ORDER

DISPOSITION: CERTIFICATE OF AUTHORITY CANCELED

On June 1, 2017, MODUS INC was granted a certificate of authority to provide telecommunications service in Oregon as a competitive provider. *See* Order No. 17-201.

MODUS INC has failed to file a 2023 annual report as required by OAR 860-032-0060.

Commission staff has made numerous attempts to notify MODUS INC of the delinquencies and potential cancellation. MODUS INC failed to file the required reports in a timely manner to avoid cancellation.

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 6, 2024, Public Meeting that MODUS INC's certificate of authority to provide telecommunications service should be canceled, per OAR 860-032-0008(2), as MODUS INC has failed to comply with Commission rules and terms of the certificate. MODUS INC is reminded that because it had a certificate of authority for one or more days during 2024, 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 MODUS INC for certification as a competitive provider unless MODUS INC fully complies with 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 Commission rules;

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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 860-100-0110;
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 MODUS INC 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 MODUS INC is canceled.

Made, entered, and effective Aug 12, 2024.



BY THE COMMISSION:

A handwritten signature in blue ink, appearing to read "Alison Lackey".

Alison Lackey
Chief Administrative Law Judge

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 Circuit Court for Marion County in compliance with ORS 183.484.