BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 2009-291-C - ORDER NO. 2009-793

NOVEMBER 3, 2009

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| IN RE: Petition of the Office of Regulatory Staff for Commission to Order a Rule to Show Cause as to Why the Certificates of Public Convenience and Necessity for Certain Providers of Telecommunications Services Should Not Be Revoked for Failure to File Annual Reports | ) ) ) ) ) ) ) | ORDER REVOKING CERTIFICATES |

This matter comes before the Public Service Commission of South Carolina ("Commission") under the authority of S.C. Code Ann. §§ 58-9-10 *et seq.* and 58-9-710 *et seq.* on the Petition of the Office of Regulatory Staff ("ORS") to revoke the Certificates of Public Convenience and Necessity of certain telecommunications companies for failure to file annual reports. Specifically, S.C. Code Ann. §§ 58-9-280(G)(3) (Supp. 2008) and 58-9-370 (Supp. 2008) as well as 26 S.C. Code Ann. Regs. 103-612 (Supp. 2008) require telecommunications companies certificated in South Carolina to file annual reports. The failure to file annual reports may result in the revocation of a holder's certificate. ORS's Petition contains a list of telecommunications companies who failed to file annual reports. A hearing for the revocation of these companies' Certificates was held on October 28, 2009.

At the hearing, Jeanne Gordon, employed by ORS as a Program Specialist in the Telecommunications Department, testified that certain telecommunications companies certificated by the Commission remained out of compliance for not having filed annual

reports. In support of Gordon's testimony, ORS offered a revised list of those companies that remained out of compliance at the time of the hearing.[1] She testified that ORS notified these companies of their non-compliance by certified mail. However, none of the companies appeared at the hearing.

The Commission finds that ORS's Petition against those telecommunications companies who were in compliance with the annual report requirements at the time of the hearing should be dismissed. The Commission also finds that the Certificates of those companies who remained out of compliance with the annual report requirements at the time of the hearing, as indicated by the revised list submitted as evidence by ORS, should be revoked and cancelled.

IT IS THEREFORE ORDERED:

The Certificates of Public Convenience and Necessity held by those telecommunications companies in the revised list submitted by ORS at the hearing, which is attached to this Order, are revoked and cancelled. All operating rights of these companies are null and void. Additionally, ORS's Petition against those companies who are now in compliance is dismissed.

[1] Hearing Exhibit 2.

This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:

Elizabeth B. Fleming, Chairman

**ATTEST:**

John E. Howard, Vice Chairman

**(SEAL)**

OUT OF COMPLIANCE - DOCKET #2009-291-C

Revised Exhibit A

| | OrganizationName | Registered Agent | Secretary of State status | Foreign or Domestic | Docket # | Order # | Date Certificate Issued |
|---|---|---|---|---|---|---|---|
| 1 | **Genesis Telecommunications Company, LLC**<br>Ken Jefferson - President<br>PO Box 675<br>Greenwood SC 29648 | John Lawrence<br>1117 Reynolds Avenue<br>Greenwood SC 29646 | Good Standing | Domestic | 2000-350-C | 2000-873 | 10/27/2000 |
| 2 | **Navacore, LLC**<br>Thomas K. Gwyn - Partner<br>PO Box 3413<br>Rock Hill SC 29732 | Thomas K. Gwyn<br>137 E White Street<br>Rock Hill SC 29730 | Good Standing | Domestic | 2006-111-C | 2006-468 | 8/4/2006 |
| 3 | **New Century Telecom, Inc.**<br>Karyn Bartel - President<br>700 Hembree Place, Suite A<br>Roswell GA 30076 | Corporation Service Co<br>5000 Thurmond Mall Blvd<br>Columbia SC 29201 | Forfeiture 11/19/98 | Foreign | 1997-474-C | 1998-359 | 5/19/1998 |
| 4 | **Sterling Telecom, Inc.**<br>William Honor - General Mgr<br>242 Beverly Rd<br>Huntington Station NY 11746 | National Registered Agents, Inc.<br>2 Office Park Court, Ste 103<br>Columbia SC 29223 | Good Standing<br>**changed to**<br>**Dissolved 8/13/09** | Foreign | 2007-405-C | 2008-146 | 3/6/2008 |
| 5 | **West Communications, Inc.**<br>William Brent Saxon - Regulatory Affairs<br>210 E. Main St.<br>Walhalla SC 29691 | Clare Davis<br>900 South Irby Street<br>Florence SC 29501 | Good Standing | Domestic | 2003-336-C | 2004-102 | 3/12/2004 |



PENGAD 800-631-6989
EXHIBIT
2
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10/28/09