BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 2008-215-C - ORDER NO. 2008-705

OCTOBER 15, 2008

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 OF PUBLIC CONVENIENCE AND NECESSITY

This matter comes before the Public Service Commission of South Carolina ("the Commission") by way of the Petition of the Office of Regulatory Staff ("ORS") for a Rule to Show Cause as to why Certificates of Public Convenience and Necessity ("Certificates") of certain telecommunications companies should not be revoked for failure to file annual reports. ORS's Petition was filed with the Commission on May 21, 2008. The Commission is responsible for the regulation of telephone utilities operating for compensation as set forth in S.C. Code Ann. §58-9-10 et seq. (Supp. 2007).

The telecommunications companies listed in Exhibit A to ORS's Petition are subject to the jurisdiction of this Commission pursuant to S.C. Code Ann. §58-9-710 et seq. (1976 & Supp. 2007). Further, these telecommunications companies have submitted themselves to the jurisdiction of the Commission by virtue of holding a Certificate of Public Convenience and Necessity as indicated in Exhibit A.

Telecommunications companies holding a Certificate are required to file annual reports. "Subject to the approval of the Commission, the Office of Regulatory Staff may

require any telephone utility to file annual reports in such form and of such content as the Office of Regulatory Staff may require and special reports concerning any matter about which the Office of Regulatory Staff is authorized to inquire or to keep itself informed or which it is required to enforce." S.C. Code Ann. § 58-9-370(A) (Supp. 2007). Additionally, 26 S.C. Code Ann. Regs. 103-612.1 (Supp. 2007) states that "Each telephone utility operating in the State shall file an annual report with the Commission and provide a copy to ORS, giving such information as the Commission may direct."

ORS developed a list of the telecommunications companies that failed to file the requisite annual reports for the year ending 2007. ORS attached the list as Exhibit A to ORS's Petition. On August 26, 2008, ORS pre-filed the direct testimony of Ms. Jeanne Gordon advising the Commission of those companies that had failed to file the required report and included as Exhibit JG-2 a list showing those carriers that had come into compliance since the filing of the Petition.

The Commission set this matter for a hearing on October 14, 2008, at 10:30 a.m. At the hearing, ORS was represented by C. Lessie Hammonds, Esquire. Jeanne Gordon, Database Manager, testified for ORS.

At the hearing, Ms. Gordon presented testimony that certain companies certificated by the Commission to provide telecommunications services have failed to file the required annual reports. Further, Ms. Gordon testified that, since the filing of the Petition and the submission of pre-filed testimony in this matter, certain of the telecommunications companies named in the Petition have come into compliance with the Commission's rules and regulations. At the hearing, ORS submitted a Revised

Exhibit JG-1 listing those companies which remained out of compliance. None of the companies remaining out of compliance attended the hearing.

The Commission finds that the petition should be dismissed as to those companies who have complied with S.C. Code Ann. § 58-9-370(A) (Supp. 2007) and with the Commission's Rules and Regulations as of the date of the hearing in this matter. The Commission is also of the opinion, and so finds, that the Certificates of Public Convenience and Necessity held by the companies which are the subject of this Petition (attached as an Appendix to this Order, labeled "Appendix A" and made a part of the record in this matter as Hearing Exhibit 1 should be revoked and cancelled for their continued willful violation of the Commission's Rules and Regulations and laws concerning reporting requirements of telecommunications carriers. IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

1. That the Certificates of Public Convenience and Necessity held by those companies listed in the Appendix attached hereto be, and hereby are, revoked and cancelled.

2. That all operating rights authorized under the Certificates held by the companies listed in the attached Appendix and cancelled by this Order are null and void.

3. That this Petition be, and hereby is, dismissed with respect to all companies who have complied with S.C. Code Ann. § 58-9-370(A) (Supp. 2007) and with the Commission's Rules and Regulations.

4. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

Elizabeth B. Fleming

Elizabeth B. Fleming, Chairman

ATTEST:

John E. Howard

John E. Howard, Vice Chairman

(SEAL)

	OrganizationName	Registered Agent	Secretary of State status	Foreign or Domestic	Docket #	Order #	Date Certificate Issued
1	Airnex Communications, Inc. dba Provide Telecommunications Services Hong Ji - Compliance Analyst 3000 Executive Parkway Ste 230 San Ramon CA 94583-4255	National Registered Agents, Inc. 2 Office Park Ct, Ste 103, Ste 103 Columbia SC 29223	Good Standing	Foreign	1999-097- C	1999-606	8/31/99
2	BroadRiver Communications Corporation Robert Turkel - Dir of Legal/Reg. & CLEC Oper. 1000 Hemphill Avenue NW Atlanta GA 30318	Corporation Service Co. 1703 Laurel Street Columbia SC 29201	Forfeiture	Foreign	2000-298- C	2000-834	10/13/00
3	Clarion Telecommunications, Inc. Edward Anson - President 3003 Jasper Blvd. Sullivans Island SC 29482	Edward M. Anson V 1582 E Ashley Ave Folly Beach SC 29439	Forfeiture	Domestic	2004-167-C	2004-453	10/11/04
4	DialTone & More, Inc. Heather Russell - Reg Consultant 5909 NW Expressway, Suite 403 Oklahoma City OK 73132	CT Corporation System 75 Beattie Place Two Insignia Financial Plaza Greenville SC 29601	Good Standing	Foreign	2005-123-C 1998-50-C	2005-455 1998-394	8/25/2005 5/29/1998
5	Epicus Communications Group, Inc. (ECG) Tammy Osborne-Habyan - HR Supervisor 610 Crescent Executive Court Ste 300 Lake Mary FL 32746	Corporation Service Co. 1703 Laurel Street Columbia SC 29201	Good Standing	Foreign	2005-264-C	2005-727	12/19/05
6	Epixtar Communications Corp. Edward Dunne - President 11900 Biscayne Blvd, Ste 700 Miami FL 33181	National Registered Agents, Inc. 2 Office Park Ct, Ste 103 Columbia SC 29223	Good Standing	Foreign	2002-419-C	2003-480	8/5/03
7	FreedomStarr Communications, Inc. dba Planet Earth Communications Kirk Doffing - Controller 8383 Wilshire Blvd. #333 Beverly Hills CA 90211	CT Corporation System 75 Beattie Place Two Insignia Financial Plaza Greenville SC 29601	Good Standing	Foreign	1999-511-C	2000-652	8/10/00
8	LDC Telecommunications, Inc. Sean Conners - President 10012 North Dale Mabry, Hwy 215 Tampa FL 33618	CT Corporation System 75 Beattie Place Two Insignia Financial Plaza Greenville SC 29601	Good Standing	Foreign	1995-1029-C	1995-1658	11/6/95
9	Quality Telephone, Inc. Frank McGovern - President PO Box 7310 Dallas TX 75209-0310	Business Filings International 75 Beattie Place Greenville SC 29601	Good Standing	Foreign	2005-232-C	2005-679	12/2/05

Appendix A
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	OrganizationName	Registered Agent	Secretary of State status	Foreign or Domestic	Docket #	Order #	Date Certificate Issued
10	Seven Bridges Communications, LLC Angie Watson - Operations Mgr 811 W Garden St Pensacola FL 32501	National Registered Agents, Inc. 2 Office Park Ct, Ste 103 Columbia SC 29223	Good Standing	Foreign	2000-405-C	2000-967	11/30/00
11	SimpleDSL, Inc. James A. Kennemore, Jr - Mgr PO Box 8088 Greenwood SC 29648	James A. Kenmore 333 Main St Greenwood SC 29649	Good Standing	Domestic	2002-386-C	2003-138	3/12/03
12	Telliss, LLC Terry Ballantini - President 9093 Technology Drive, Ste 104 Fishers IN 46038	B. Allston Moore, Jr. 5 Exchange St Charleston SC 29401	Good Standing	Foreign	2002-173-C	2003-100	3/3/03
13	Valence Communications Services, Ltd. dba American Fiber Network Douglas C. Bethell 9401 Indian Creek Parkway, Suite 140 Overland Park KS 66214	Corporation Service Co. 1301 Gervais St Columbia SC 29201	Good Standing	Foreign	1999-049-C	1999-372	6/1/99
14	Volo Communications of South Carolina Robert V. Staats - Finance Director 151 S. Wymore Rd., Ste. 3000 Altmonte FL 32714-4254	Agent Resignation	No Agent	Foreign	2004-116-C	2004-368	9/27/04