BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 2010-298-C - ORDER NO. 2011-50

JANUARY 13, 2011

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 Gross Receipts and Annual Reports	)))))))	ORDER REVOKING CERTIFICATES

This matter comes before the Public Service Commission of South Carolina ("the Commission") by way of the Petition 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 gross receipts or annual reports. The Office of Regulatory Staff's ("ORS") Petition was filed with the Commission on September 1, 2010. 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. 2009).

The telecommunications companies listed in Exhibits A and B 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. 2009). 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 through the Commission

Docket and Order numbers listed for each respective carrier in Exhibits A and B to the Petition.

Telecommunications companies holding a Certificate are required to file annual reports and gross receipts filings. "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. 2009). Furthermore, 26 S.C. Ann. Regs. 103-612.1 (Supp. 2009) states that "[e]ach 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 and gross receipts filings for the year ending 2009. ORS attached the lists as Exhibits A and B to ORS's Petition. On November 2, 2010, ORS pre-filed the direct testimony of Ms. Dawn Hipp advising the Commission of those companies that had failed to file the required reports and filings.

The Commission set this matter for a hearing on December 15, 2010, at 2:45 p.m. At the hearing, ORS was represented by Jeffrey Nelson, Esquire. Dawn Hipp, Director of the Telecommunications, Transportation, Water and Wastewater Department of the Office of Regulatory Staff, testified for ORS.

At the hearing, Ms. Hipp presented testimony that certain companies certificated by the Commission to provide telecommunications services have failed to file the required annual reports and gross receipts filings. Further, Ms. Hipp 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 Revised Exhibits A and B (entered into the record respectively as Hearing Exhibit 1) listing those companies which remained out of compliance.

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. 2009) 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 listed in Hearing Exhibit 1 (attached to this Order) should be revoked and cancelled as of the date of the hearing in this matter for their continued 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 Hearing Exhibit 1 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. 2009) 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:

John E. Howard, Chairman

ATTEST:

David A. Wright, Vice Chairman
(SEAL)

Revised Exhibit A
Docket No. 2010-298-C
Rule to Show Cause Telecommunications Carriers Non-Compliant with Gross Receipts Filing 2009

December 15, 2010

No	Name	DBA	Address	City	State	Zip	Date Certified	Docket Number	Order Number	Secretary of State Standing
1	Baker Material Handling Corp		2450 W 5th North St	Summerville	SC	29484	4/14/1989	1985-150-C	1989-401	Good Standing
2	BPS Communications		Rt. 1, Box 211	Cheraw	SC	29520	3/13/1996	1985-150-C	1996-184	Not registered
3	Com-Tech Resources	Com-Tech Systems	3709 Westway Street, Suite A	Tyler	TX	75703	7/25/2000	1985-150-C	2000-603	Dissolved in 2008
4	Diamond Ventures, Inc.		PO Box 311	Laurens	SC	29360	11/27/2000	1985-150-C	2000-947	Good Standing
5	Fairmont I Shopping Plaza		498 Albemarle Rd #410	Charleston	SC	29407	5/14/1985	1985-150-C	1985-404	Not registered
6	General Growth Properties, Inc.		110 North Wacker Dr. RL-21	Chicago	IL	60606	9/22/1993	1985-150-C	1993-885	Good Standing
7	Hippodrome Corporation		3061 Sheridan St.	Las Vegas	NV	89102	8/30/2005	1985-150-C	2005-457	Forfeiture in 2009
8	JLR Communications, Inc.		7715 Crittenden St #355	Philadelphia	PA	19118	3/13/2002	1985-150-C	2002-185	Forfeiture in 2006
9	Netlojix Telecom, Inc.		7001 Blvd. 26, #323	N. Richland Hills	TX	76180	6/5/2000	1999-485-C	2000-463	Reinstatement
10	OneTone Telecom, Inc.		100 Century Plaza, Ste 9-I	Seneca	SC	29672	7/8/1999	1999-132-C	1999-485	Good Standing
11	Paragon Communications Services, LLC		4485 Tench Rd Ste 420	Suwanee	GA	30024	12/12/2003	1985-150-C	2003-723	Dissolved in 2007
12	Reef of Myrtle Beach, Inc.		2101 S. Ocean Blvd.	Myrtle Beach	SC	29577	6/9/1995	1985-150-C	1995-1201	Good Standing
13	Rohi Marketing, Inc.		810 A Main Street	N Wilkesboro	NC	28659	9/9/1987	1985-150-C	1987-993	Forfeiture in 1989
14	Star Lanes Bowling Center		200 Public Square Ste 700, BP Tower	Cleveland	OH	44114	1/9/1986	1985-150-C	1986-11	Forfeiture in 1992
15	Universal Telecom, Inc.		PO Box 679	Lagrange	KY	40031-0679	12/16/1999	1999-354-C	1999-886	Good Standing

PENGAD 800-631-6989
EXHIBIT
1
2010-298-C

Revised Exhibit B

Docket No. 2010-298-C

Rule to Show Cause Telecommunications Carriers Non-Compliant with Annual Report Filing 2009

December 15, 2010

	OrganizationName	Registered Agent	Secretary of State status	Foreign or Domestic	Docket #	Order #	Date Certificate Issued
1	Andiamo Telecom, LLC	Business Filings International Inc 75 Beattie Place Greenville SC 29601	Good Standing	Foreign	2004-252-C (IXC)	2005-75	2/10/2005
2	Netlojix Telecom, Inc.	National Registered Agents Inc 2 Office Park Ct, Ste 103 Columbia SC 29223	Reinstatement	Foreign	1999-485-C (IXC)	2000-463	6/5/2000
3	Network US, Inc. DBA Affinity	National Registered Agents Inc 2 Office Park Ct, Ste 103 Columbia SC 29223	Forfeiture	Foreign	2001-302-C (IXC)	2002-218	3/26/2002
4	Norstar Telecommunications, LLC	TCS Corporate Services, Inc 2 Office Park Court, Ste 103 Columbia SC 29223	Good Standing	Foreign	2007-283-C (IXC)	2007-905	12/18/2007
5	Uni-Tel Communications Group, Inc.	National Registered Agents Inc 2 Office Park Ct, Ste 103 Columbia SC 29223	Good Standing	Foreign	2000-403-C (IXC)	2001-299	4/5/2001
6	Universal Telecom, Inc.	CT Corporation System 2 Office Park Court, Ste 103 Columbia SC 29223	Good Standing	Foreign	1999-354-C (CLEC)	1999-886	12/16/1999