

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Uniform Cover and Calendar Sheet

| | |
|--|---|
| 1. <u>REPORT DATE:</u> July 5, 2005 | 2. <u>BUREAU AGENDA NO.</u> JUL-2005-L-0070* |
| 3. <u>BUREAU:</u> Law | |
| 4. <u>SECTION(S):</u> | 5. <u>PUBLIC MEETING DATE:</u> |
| 6. <u>APPROVED BY:</u> Director: Mgr/Spvr: Wilmarth 2-8841 Legal Review: | July 14, 2005 <i>A-310922</i> |
| 7. <u>PERSONS IN CHARGE:</u> Daviston 7-6166 | 9. <u>EFFECTIVE DATE OF FILING:</u> |
| 8. <u>DOCKET NO.:</u> C-20044014, C-20044015, C-20044016, C-20044018, C-20044022, C-20044026, C-20044030, C-20044031, C-20044034, C-20044036, C-20044038, C-20044040, C-20044046, C-20044051, C-20044055, C-20044062, C-20044063, C-20044065, C-20044068, C-20044069, C-20044072 | |

**DOCUMENT
FOLDER**

10. (a) **CAPTION** (abbreviate if more than 4 lines)
 (b) **Short summary of history & facts, documents & briefs**
 (c) **Recommendation**
- (a) LBPS v. Twenty-one Named Telecommunications Utilities for 2003 Annual Report Delinquency.
- (b) On December 13, 14 and 22, 2004, the Law Bureau Prosecutory Staff filed separate Formal Complaints against twenty-one telephone service providers (Respondents). In the Complaints, Prosecutory Staff alleged that the Commission sent by certified mail notice to each Respondent that pursuant to 66 Pa. C.S. §504 its 2003 Annual Report was due. The Complaints charged that each Respondent violated 66 Pa. C.S. §504 by not filing its 2003 Annual Report. Service of the Complaints was perfected on each of the twenty-one Respondents, none of which responded to the Complaint.
- (c) The Law Bureau recommends that the Commission adopt the proposed Default Orders which cancel the certificates of the twenty-one Respondents that were served but failed to respond to the Complaints.

| | |
|---|---------------------------------|
| 11. MOTION BY: Commissioner Chm. Holland | Commissioner Cawley - Yes* |
| | Commissioner Pizzingrilli - Yes |
| SECONDED: Commissioner Shane | Commissioner Fitzpatrick - Yes |

CONTENT OF MOTION: Staff recommendation adopted.

Vice Chairman Cawley, Recusing on C-20044062, Core Communications, Inc.

DOCKETED
JUL 21 2005

LBPS v. 21 Telecommunications Utilities
 For 2003 Annual Report Delinquency
 Service was perfected – listed in docket order

| CODE | COMPANY | DOCKET |
|----------|-----------------------------------|------------|
| A-311128 | Telegenius, Inc. | C-20044014 |
| A-310780 | Telecomm Cooperative Network | C-20044015 |
| A-310936 | Summit Telco, LLC | C-20044016 |
| A-310908 | Servicesense.Com | C-20044018 |
| A-311219 | Primo Communications, Inc. | C-20044022 |
| A-310987 | Premier Network Services, Inc. | C-20044026 |
| A-311004 | Orion Telecommunications Corp. | C-20044030 |
| A-311060 | Optimum Global Comm., Inc. | C-20044031 |
| A-310569 | Onestar Long Distance, Inc. | C-20044034 |
| A-311135 | Onestar Communications, LLC | C-20044036 |
| A-311051 | One Voice Communications, Inc. | C-20044038 |
| A-311209 | Necc Telecom, Inc. | C-20044040 |
| A-311175 | Kiger Telephone & Telephone, LLC | C-20044046 |
| A-310782 | IDT America Corp. | C-20044051 |
| A-310915 | Capsule Communications, Inc. | C-20044055 |
| A-310922 | Core Communications, Inc. | C-20044062 |
| A-310668 | Communications Billings, Inc. | C-20044063 |
| A-311116 | Communicate Technological Systems | C-20044065 |
| A-311159 | Budget Phone, Inc. | C-20044068 |
| A-311241 | Better World Telecom, Inc. | C-20044069 |
| A-311212 | All-Star Acquisition Corp. | C-20044072 |



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

JULY 20, 2005

C-20044062
A-310922

CORE COMMUNICATIONS INC
209 WEST STREET
SUITE 302
ANNAPOLIS MD 21401

Pennsylvania Public Utility Commission
Law Bureau Prosecutory Staff
V.
Core Communications, Inc.

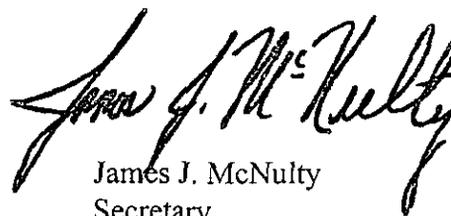
DEFAULT ORDER

To Whom It May Concern:

This is to advise you that the Commission in Public Meeting on July 14, 2005 has adopted a **Default Order** in the above entitled proceeding.

A Default Order has been enclosed for your records.

Very truly yours,



James J. McNulty
Secretary

fg
encls
cert. mail

See Attached Listing for Additional Parties of Record.

**DOCUMENT
FOLDER**

DOCKETED
SEP 14 2005

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265

Public Meeting held July 14, 2005

Commissioners Present:

Wendell F. Holland, Chairman
James H. Cawley, Vice-Chairman, Recusing
Bill Shane
Kim Pizzingrilli
Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission
Law Bureau Prosecutory Staff

C-20044062

v.

Core Communications, Inc. (2004.0267.00)

A-310922

DEFAULT ORDER

BY THE COMMISSION:

On December 14, 2004, the Law Bureau Prosecutory Staff filed a Formal Complaint against Core Communications, Inc. (the Respondent), a switched access carrier, facilities based competitive local exchange carrier and facilities based toll carrier certificated at A-310922. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa. C.S. §504 its 2003 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa. C.S. §504 by failing to file its 2003 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2003 Annual Report.

DOCKETED
/ SEP 14 2005

**DOCUMENT
FOLDER**

According to the U.S. Postal Service return receipt, the Complaint was served on December 20, 2004. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, the NXX codes that were assigned to Respondent must be returned to the North American Numbering Plan.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa. C.S. §§504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2003 Annual Report, we conclude that revocation of Core Communications, Inc.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; **THEREFORE,**

IT IS ORDERED:

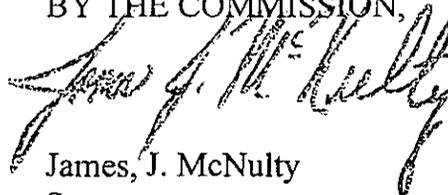
1. That the allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.
2. That the Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.
3. That Core Communications, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the

Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. That absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Core Communications, Inc. at A-310922 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

5. That the North American Numbering Plan (NANPA) is directed to reclaim Core Communications, Inc.'s NXX Codes since this carrier no longer has authority to operate in the Commonwealth of Pennsylvania.

BY THE COMMISSION,



James, J. McNulty
Secretary

(SEAL)

ORDER ADOPTED: July 14, 2005

ORDER ENTERED: JUL 20 2005

OFFICE OF CONSUMER ADVOCATE
FORUM PLACE
555 WALNUT STREET 5TH FLOOR
HARRISBURG PA 17101-1921

OFFICE OF SMALL
BUSINESS ADVOCATE
COMMERCE BLDG STE 1102
300 NORTH SECOND STREET
HARRISBURG PA 17101

JOHNNIE SIMMS
PA PUC
OFFICE OF TRIAL STAFF
PO BOX 3265
HARRISBURG PA 17105-3265

FRANK T DONAGHUE DIRECTOR
CHIEF DEPUTY ATTORNEY GENERAL
BUREAU OF CONSUMER PROTECTION
PENNSYLVANIA PLACE SUITE 105
301 CHESTNUT STREET
HARRISBURG PA 17101