

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00 :
 2. BUREAU: LAW :
 3. SECTION(S): :
 5. APPROVED BY: : 4. PUBLIC MEETING DATE:
 DIRECTOR: : 00/00/00
 SUPERVISOR: :
 6. PERSON IN CHARGE: : 7. DATE FILED: 04/06/06
 8. DOCKET NO: C-20066103 : 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: LAW BUREAU PROSECUTORY STAFF

RESPONDENT/APPLICANT: 3U TELECOM INC

COMP/APP COUNTY:

UTILITY CODE: 311207

ALLEGATION OR SUBJECT

LAW BUREAU PROSECUTORY STAFF COMPLAINT AGAINST 3U TELECOM, INC. FOR FAILURE TO FILE ITS 2004 ANNUAL REPORT. THE LAW BUREAU REQUEST THE COMMISSION TO CANCEL THE CERTIFICATE OF PUBLIC CONVENIENCE AND DIRECT THE RESPONDENT TO PAY A CIVIL PENALTY IN THE AMOUNT OF \$1,000.

DOCUMENT
FOLDER

DOCKETED
APR 10 2006

ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Law Bureau Prosecutory Staff

v.

3U Telecom, Inc.
(2006.0116.00)

:
:
:
:
:
:
:

Docket No. C-2006 6103

DOCKETED

APR 10 2006

DOCUMENT
FOLDER

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings that are prosecutory in nature to the Law Bureau and to other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, 66 Pa. C.S. §701, the Law Bureau Prosecutory Staff hereby represents as follows:

1. 3U Telecom, Inc. (Respondent), maintains its principal place of business at 1802 N. Carson Street, Carson City, NV, 89701.
2. Respondent was issued a Certificate of Public Convenience by the Commission on October 24, 2002 at A-311207 to provide telephone service in the Commonwealth of Pennsylvania.
3. That based on the Commission's records; Respondent has failed to file an Annual Report for 2004.
4. By first class mail and then again by certified mail, return receipt requested, Respondent was notified that it failed to file an Annual Report for 2004.
5. Respondent, by failing to file an Annual Report for 2004, is in violation of Section 504 of the Public Utility Code, 66 Pa. C.S. §504.

PA P.U.C.
SECRETARY'S BUREAU

2006 APR 26 AM 10:47

RECEIVED

6

WHFREFORE, for failure to file its 2004 Annual Report, Law Bureau Prosecutory Staff hereby requests that the Commission cancel the Certificate of Public Convenience of 3U Telecom, Inc. pursuant to 66 Pa. C.S. §3301 and direct 3U Telecom, Inc. to pay a civil penalty in the amount of \$1,000.

Respectfully submitted,

Rhonda L. Daviston

Rhonda L. Daviston
Law Bureau Prosecutory Staff Counsel
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Kerry Klinefelter of the Bureau of Fixed Utilities, hereby state that the facts above set forth in the foregoing Complaint are true and correct to the best of my knowledge, information and belief, and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. §4904 relating to the unsworn falsification to authorities.

April 5, 2006
Date

Kerry Klinefelter
Kerry Klinefelter
Bureau of Fixed Utilities

N-O-T-I-C-E

A. You must file an Answer within 30 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this Complaint and notice. See 52 Pa. Code §1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense and must reference the complete caption and Docket Number of this Complaint. Your Answer must be verified and the original and three (3) copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within 30 days, Law Bureau Prosecutory Staff will request that the Commission issue an Order canceling your Certificate of Public Convenience.

C. You may elect not to contest this Complaint by filing your 2004 Annual Report within 30 days along with payment of the late fee in the amount of \$250. Your 2004 Annual Report should be forwarded to the Pennsylvania Public Utility Commission, Bureau of Fixed Utilities (Annual Reports Section), P.O. Box 3265, Harrisburg, PA 17105-3265. If you file your 2004 Annual Report within 30 days along with a check in the amount of \$250 payable to the Commonwealth of Pennsylvania, Law Bureau Prosecutory Staff will withdraw this complaint.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, Law Bureau Prosecutory Staff will request the Commission to issue an Order imposing the penalty set forth in the Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the penalty set forth in this Complaint, and may assess additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. See 52 Pa. Code §§1.21-1.22.

G. Alternative formats of this material are available for persons with disabilities by contacting the Public Utility Commission at (717) 787-5620.



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

IN REPLY PLEASE
REFER TO OUR FILE
2006.0116.00

Date of Service: April 10, 2006

Herve Andrieu
3U Telecom, Inc.
1802 N. Carson Street, Suite 212-2683
Carson City, NV 89701

DOCKETED
APR 10 2006

C-2006 6103

Law Bureau Prosecutory Staff

v.

3U Telecom, Inc.
(2006.0116.00)

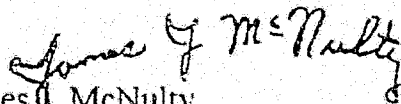
DOCUMENT
FOLDER

Dear Sir/Madam:

The Pennsylvania Public Utility Commission has delegated its authority to initiate prosecutory proceedings to several bureaus in the Commission with enforcement responsibilities. Pursuant to this delegated authority and Section 701 of the Public Utility Code, 66 Pa. C.S. §701, Law Bureau Prosecutory Staff has filed the attached Complaint against you seeking a monetary penalty and/or revocation of your Certificate of Public Convenience for failure to file your 2004 Annual Report.

Please refer to the "Notice" at the front of the Complaint for detailed instructions on how to proceed. Any questions may be directed to the Bureau of Fixed Utilities (Annual Reports Section), 717-787-2029.

Very truly yours,


James A. McNulty
Secretary

cc: Rhonda L. Daviston, Assistant Counsel
Kerry Klinefelter, Bureau of Fixed Utilities

ORIGINAL

3U TELECOM INC.

2654 W. Horizon Ridge Pkway
Suite B5-143
Henderson, NU 89852
Phone: (702) 777 2512
Fax: (702) 777 2581
info@3utelecom.com

3U TELECOM INC. • 2654 W. Horizon Ridge Pkway • Suite B5-143 • Henderson, NU 89852

Mr. James McNulty, Secretary
PA Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265

DOCUMENT
FOLDER

Henderson, October 3, 2006

RE: C-2006-6103

Dear Sir,

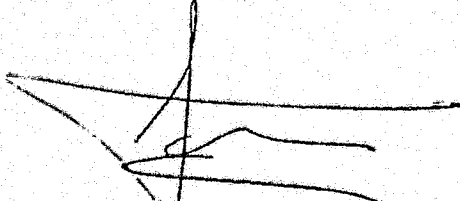
First, please accept my apologies for the delay in this answer. Your letter got unfortunately lost in our mail room and I only received it today. As soon as I received it I took care of responding.

I am of course contesting this complaint from the PUC. Our company has always filed its reports to the PUC and did so for the year 2005 which proves you that we are not trying to avoid our regulatory filings. I looked in our archives and found the PA PUC reports we filed for the year 2004 and I attached them to this letter.

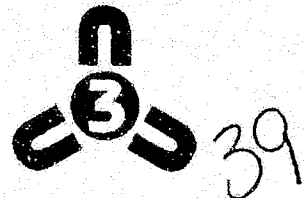
Feel free to contact me should you have any questions.

Best regards,

3U TELECOM INC.


Herve Andrieu

RECEIVED
OCT 10 11:25



3U TELECOM INC.

2654 W. Horizon Ridge Pkway
Suite 85-143
Henderson, NV 89052
Phone: (702) 260-4399
Fax: (702) 260-9113
info@3utelecom.com

3U TELECOM INC • 2654 W. Horizon Ridge Pkway • Suite 85-143 • Henderson, NV 89052

Pennsylvania Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265

Henderson, April 29, 2005

RE: Annual Report

Dear Madam or Sir,

Here is enclosed 3U Telecom Inc. annual report for the year 2004:

Type of Service	Intrastate MOU	Intrastate Gross Revenue
MTS	30,830	\$1,819
Total	30,830	\$1,819

Feel free to contact me should you have any questions.

Best regards,

3U TELECOM INC.

Herve Andrieu
Vice-President
1802 N. Carson St, Ste 212-2683, Carson City, NV 89701
Tel: 702-260-4399, Fax: 702-260-9143, e-mail: Andrieu@3u.net

Board of Directors: Udo Graul (Chairman)
Officers: Johannes Gottschalk (President), Herve Andrieu (Vice-President)
Registered office: 1802 N. Carson Street • Suite 212-2683 • Carson City, NV 89701
Customer service: 1-800-97-ASK 3U. Fax: 1-800-95-FAX 3U



sent 5/13



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

IN REPLY PLEASE
REFER TO OUR FILE
2006.0116.00

December 6, 2006

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
400 Commonwealth Keystone Building
2nd Floor
Harrisburg, PA 17120

Re: LBPS v. 3U Telecom, Inc.
Docket No. C-20066103 (2006.0116)

ORIGINAL

Dear Secretary McNulty:

Enclosed for filing, please find an original and three copies of the withdrawal of Complaint filed by the Law Bureau Prosecutory Staff of the Pennsylvania Public Utility Commission in the above-captioned matter. Copies have been served according to the attached Certificate of Service.

**DOCUMENT
FOLDER**

Very truly yours,

Rhonda L. Daviston
Rhonda L. Daviston
Law Bureau Prosecutory Staff

Enclosure
cc: Per Certificate of Service

BTL

RECEIVED
DEC 12 2006
12:38
PUC

61

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

DEC 11 2006

LAW BUREAU PROSECUTORY STAFF
(2006.0116) Complainant

v.

Docket No. C-20066103

3U Telecom, Inc.

Respondent

DOCUMENT
FOLDER

CERTIFICATE OF SATISFACTION

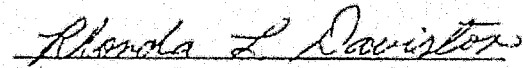
AND NOW comes the Bureau of Fixed Utilities Services of the Pennsylvania Public Utility Commission, by and through its counsel the Law Bureau Prosecutory Staff (Prosecutory Staff), after having carefully reviewed the facts and the law concerning this matter, hereby certifies as follows:

1. That 3U Telecom, Inc. (3U) is an entity with a mailing address at 2654 W. Horizon Ridge Parkway, Suite B5-143, Henderson, NV 89052, and holds a certificate of public convenience at Docket No. A-311207.
2. That 3U failed to file its 2004 reseller Annual Report pursuant to 66 Pa. C.S. §504.
3. That 3U's failure to file its 2004 reseller Annual Report is in violation of Section 504 of the Public Utility Code, 66 Pa. C.S. §504.
4. That Prosecutory Staff filed a Formal Complaint with the Commission at this docket on April 6, 2006, regarding 3U's failure to file its 2004 Annual Report.

DOCKETED
DEC 11 2006

5. That 3U filed its 2004 Annual Report on May 18, 2005. Because 3U filed its 2004 Annual Report, prior to the filing of this Complaint, it is appropriate to withdraw the Formal Complaint filed at C-20066103.

WHEREFORE, the Law Bureau Prosecutory Staff hereby respectfully requests that the Complaint filed at the above captioned docket be dismissed.


Rhonda L. Daviston
Law Bureau Prosecutory Staff

Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Dated: December 6, 2006

CERTIFICATE OF SERVICE

I hereby certify that I have, on this day, served the foregoing document, Certificate of Satisfaction, upon all persons listed below in accordance with the requirements of 52 Pa. Code §1.54:

Service by hand delivery:

Ms. Elaine McDonald
Bureau of Fixed Utilities Services
Pa. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Service by First Class Mail Addressed as follows:

Mr. Herve Andrieu
3U Telecom, Inc.
2654 W. Horizon Ridge Parkway
Suite B5-143
Henderson, NV 89052

RECEIVED
DEC 6 2006 12:58

Rhonda L. Daviston
Rhonda L. Daviston
Law Bureau Prosecutory Staff

Pa. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265
(717) 787-6166

Dated: December 6, 2006