

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00  
 2. BUREAU: LAW  
 3. SECTION(S):  
 5. APPROVED BY:  
 DIRECTOR:  
 SUPERVISOR:  
 6. PERSON IN CHARGE:  
 8. DOCKET NO: C-20077694

4. PUBLIC MEETING DATE:  
 00/00/00  
 .. DATE FILED: 04/23/07  
 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: LAW BUREAU PROS. STAFF (2006.0295.00)

RESPONDENT/APPLICANT: PPL PRISM, LLC

COMP/APP COUNTY:

UTILITY CODE: 311254

ALLEGATION OR SUBJECT

LAW BUREAU PROSECUTORY STAFF COMPLAINT AGAINST PPL PRISM, LLC. FOR FAILURE TO FILE ITS 2005 ANNUAL REPORT. LAW BUREAU REQUESTS THAT COMMISSION CANCEL THE CERTIFICATE OF PUBLIC CONVENIENCE AND DIRECT COMPANY TO PAY A CIVIL PENALTY IN THE AMOUNT OF \$1,000.00.

DOCUMENT  
FOLDER

**DOCKETED**  
 MAY 15 2007



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

IN REPLY PLEASE  
REFER TO OUR FILE  
2006.0295

Date of Service: *May 15, 2007*

Joseph Kleha  
PPL Prism, LLC  
Two N. Ninth St.  
Allentown, PA 18101-1179

C-2007 7694

Law Bureau Prosecutory Staff

v.

PPL Prism, LLC  
(2006.0295.00)

DOCUMENT  
FOLDER

DOCKETED  
MAY 15 2007

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 2005 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 Utility Services (Annual Reports Section), 717-787-1869.

Very truly yours,

James J. McNulty  
Secretary

cc: Kimberly A. Hafner, Assistant Counsel  
Flaine McDonald, Bureau of Fixed Utility Services

## 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 2005 Annual Report within 30 days along with payment of the late fee in the amount of \$250. Your 2005 Annual Report should be forwarded to the Pennsylvania Public Utility Commission, Bureau of Fixed Utility Services (Annual Reports Section), P.O. Box 3265, Harrisburg, PA 17105-3265. If you file your 2005 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.

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED  
APR 23 2007  
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Law Bureau Prosecutory Staff

v.

PPL Prism, LLC  
(2006.0295.00)

Docket No. C-2007

7694

ORIGINAL

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. PPL Prism, LLC (Respondent), maintains its principal place of business at Two N. Ninth St., Allentown, PA, 18101-1179.

2. Respondent was issued a Certificate of Public Convenience by the Commission on September 25, 2003 at A-311254 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 2005.

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 2005.

5. Respondent, by failing to file an Annual Report for 2005, is in violation of Section 504 of the Public Utility Code, 66 Pa. C.S. §504.

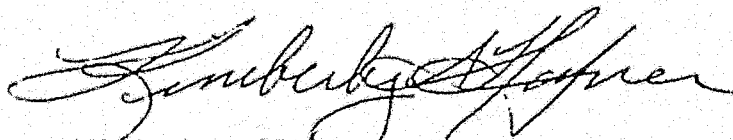
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DOCKETED  
MAY 15 2007

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WHEREFORE, for failure to file its 2005 Annual Report, Law Bureau Prosecutory Staff hereby requests that the Commission cancel the Certificate of Public Convenience of PPI Prism, LLC pursuant to 66 Pa. C.S. §3301 and direct PPL Prism, LLC to pay a civil penalty in the amount of \$1,000.

Respectfully submitted,

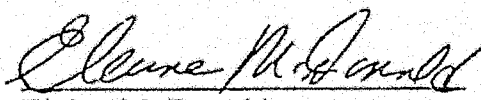


Kimberly A. Hafner  
Law Bureau Prosecutory Staff Counsel  
P.O. Box 3265  
Harrisburg, PA 17105-3265

VERIFICATION

I, Elaine McDonald of the Bureau of Fixed Utility Services, 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.

3/28/07  
Date

  
Elaine McDonald  
Bureau of Fixed Utility Services



June 1, 2007

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

ORIGINAL

Subject: Complaint C-2007 7694

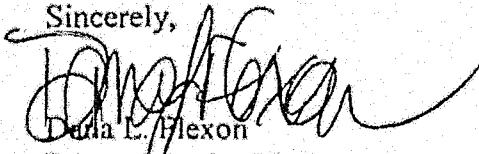
Dear Mr. McNulty,

C-20077694

In response to the above referenced complaint against PPL Prism for failing to file its 2005 Annual Report, enclosed please find a check for \$250 as required in the complaint along with the Annual Report.

This should satisfy the reporting requirements as noted in the complaint. You can be assured of our attention to this issue in the future.

Sincerely,

  
Dana L. Flexon  
Pricing/Vendor Management  
PPL Telcom, LLC

DOCKETED  
JUN 07 2007

cc: Timothy O'Keefe  
Timothy Evered, GENTW3  
Michael McGrail, GENTW3

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JUN 01 2007

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

DOCKETED  
FORWARD

BA

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April 12, 2007

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

RECEIVED  
JUN 01 2007  
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Re: ANNUAL REPORT for PPL Prism, LLC For Year Ended: 2005

<u>TYPE OF SERVICE</u>	<u>INTRASTATE MINUTES OF USE</u>	<u>INTRASTATE GROSS REVENUE</u>
Dedicated Access Services		\$ 2,445,877
MTS SERVICE	0	0
CALLING CARD	0	0
800 SERVICE	0	0
<b>TOTALS</b>	<b>0</b>	<b>\$ 2,445,877</b>

Contact regarding this report:

Name Edward Brignole  
Address 2 North Ninth St, GENPL2  
City, State, Zip Allentown, PA 18101-1179

Telephone number 610-774-4465  
Fax number 610-774-4420  
e-mail address ejbrignole@pplweb.com  
Webpage address www.ppltelcom.com

Invoice Date	Invoice Reference	Message Code	Net Amount
05/15/2007	051507 A		250.00
Message Code Key			

If you would like to receive future payments electronically, or if you have any other inquires regarding this remittance please contact Corporate Disbursements at 2 North 9th Street GENTW13, Allentown, PA 18101 or call (610) 774-4209 SR

**THIS IS WATERMARKED PAPER - DO NOT ACCEPT WITHOUT NOTING WATERMARK - HOLD TO LIGHT TO VERIFY WATERMARK**

PPL  
Two North Ninth Street  
Allentown, PA 18101  
PPL Telcom, LLC



No. 0031201991

62-4 311

Void after 180 days

Date 06/01/2007

\$\*\*\*\*\*250.00

\*\*\*\*Two Hundred Fifty and 00/100 US Dollars\*\*\*\*

PAY TO THE  
ORDER OF:

COMMONWEALTH OF PENNSYLVANIA  
PA PUBLIC UTILITY COMMISSION  
PO BOX 3265  
HARRISBURG PA 17105-3265

Mellon Bank N.A.  
Wilmington, DE

*James E Abel*  
Authorized Signature  
60053000002



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

IN REPLY PLEASE  
REFER TO OUR FILE

September 13, 2007

James McNulty, Secretary  
Pa. Public Utility Commission  
2<sup>nd</sup> Floor Keystone Bldg.  
Harrisburg, PA 17120

ORIGINAL

2007.09.13 11:2:57

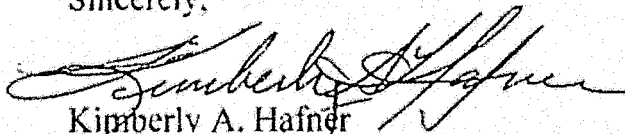
Re: LBPS v. PPL Prism, LLC  
Docket No. C-20077694

DOCUMENT  
FOLDER

Dear Secretary McNulty:

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

Sincerely,

  
Kimberly A. Hafner  
Law Bureau Prosecutory Staff

Enclosure

cc: As per certificate of service  
Elaine McDonald, Bureau of Fixed Utility Services

BTL

66

ORIGINAL

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Law Bureau Prosecutory Staff, :  
Complainant :  
v. :  
PPL Prism, LLC, :  
Respondent :

Docket No. C-20077694

SEP 1 12:57

DOCUMENT  
FOLDER

CERTIFICATE OF SATISFACTION

AND NOW comes the Bureau of Fixed Utility 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:

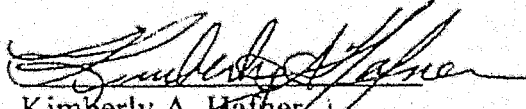
1. That PPL Prism, LLC is an entity with a mailing address at Two N. Ninth St., Allentown, PA 18101-1179, and holds a certificate of public convenience at Docket No A-311254.
2. That PPL Prism, LLC failed to file its 2005 Annual Report pursuant to 66 Pa.C.S. § 504.
3. That PPL Prism, LLC's failure to file its 2005 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 23, 2007, regarding PPL Prism, LLC's failure to file its 2005 Annual Report.
5. That PPL Prism, LLC filed its 2005 Annual Report and paid the \$250 late-filing fee.

That the Bureau of Fixed Utility Services is now satisfied that the filing of PPL Prism, LLC's 2005 Annual Report satisfies the company's annual report requirement for

**DOCKETED**  
SEP 14 2007

2005 and PPL Prism, LLC is now current in the filing of all annual reports pursuant to 66 Pa. C.S. § 504.

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

  
Kimberly A. Hafner  
Law Bureau Prosecutory Staff

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

Dated: September 13, 2007

ORIGINAL

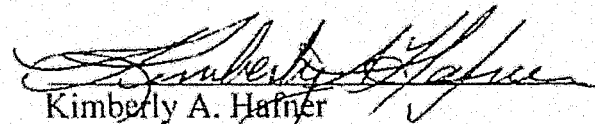
CERTIFICATE OF SERVICE

I hereby certify that I am this day serving the foregoing document, Certificate of Satisfaction, upon the persons listed and in the manner indicated below:

Service by First Class Mail:

Joseph Kleha  
PPI. Prism, LLC  
Two N. Ninth St.  
Allentown, PA 18101-1179

2007-09-13 11:25:57



Kimberly A. Hafner  
Assistant Counsel  
Attorney ID No. 66268

Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265  
(717) 787-5000

Dated: September 13, 2007