

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00	:	
2. BUREAU: LAW	:	
3. SECTION(S):	:	4. PUBLIC MEETING DATE:
5. APPROVED BY:	:	00/00/00
DIRECTOR:	:	
SUPERVISOR:	:	
6. PERSON IN CHARGE:	:	7. DATE FILED: 04/23/07
8. DOCKET NO: C-20077668	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: LAW BUREAU PROS. STAFF (2006.0295)

RESPONDENT/APPLICANT: NORTH COUNTY COMMUNICATIONS COR

COMP/APP COUNTY:

UTILITY CODE: 311046

ALLEGATION OR SUBJECT

LAW BUREAU PROSECUTORY STAFF COMPLAINT AGAINST NORTH COUNTY COMMUNICATIONS CORP. FOR FAILURE TO FILE ITS 2005 ANNUAL REPORT. LAW BUREAU REQUESTS THAT THE COMMISSION CANCEL THE CERTIFICATE OF PUBLIC CONVENIENCE AND DIRECT THE COMPANY TO PAY A CIVIL PENALTY IN THE AMOUNT OF \$1,000.

**DOCUMENT
FOLDER**

DOCKETED
MAY 10 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 10 2007

Todd Lesser
North County Communications Corp.
3802 Rosecrans Street
San Diego, CA 92110

C-2007 7668

Law Bureau Prosecutory Staff

v.

North County Communications Corp.
(2006.0295.00)

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

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

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MAY 10 2007

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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.

ORIGINAL

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APR 23 2007
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Law Bureau Prosecutory Staff :
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v. :
:
North County Communications Corp. :
(2006.0295.00) :

Docket No. C-2007 7668

COMPLAINT

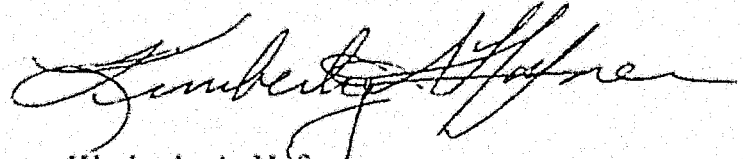
The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings that are prosecutory in nature to the Law Bureau 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. North County Communications Corp. (Respondent), maintains its principal place of business at 3802 Rosecrans Street, San Diego, CA, 92110.
2. Respondent was issued a Certificate of Public Convenience by the Commission on August 8, 2005 at A-311046F0002 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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MAY 10 2007
DOCUMENT FOLDER

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 North County Communications Corp. pursuant to 66 Pa. C.S. §3301 and direct North County Communications Corp. 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

DATE: August 1, 2007

TO: Law Bureau

FROM: James J. McNulty, Secretary



Answers or fines were due to be filed or paid on the following cases.

To this date, no answers and or fines have been received on the following:

- C-20077664 EXERGY GROUP LLC
- C-20077665 EPIXTAR COMMUNICATIONS CORP.
- C-20077666 DIGITGLOBAL COMMUNICATIONS INC
- C-20077667 NORTH COUNTY COMMUNICATIONS CORP
- C-20077668 NORTH COUNTY COMMUNICATIONS CORP
- C-20077669 NETWORK BILLING SYSTEMS, LLC
- C-20077670 MOTION TELECOM, INC
- C-20077708 TELEPHONE CO. OF CENTRAL FL INC
- C-20077709 AFFORDABLE VOICE COMM INC
- C-20077713 BEAVER LAKE SEWER COMPANY
- C-20077714 BERRY HOLLOW WATER COMPANY
- C-20077715 BERYL ACRES SEWAGE
- C-20077717 STOCOSKI, WILLIAM & KATHRYN
- C-20077718 FINCH HILL WATER COMPANY, INC.
- C-20077719 EDWIN, INC.
- C-20077720 CONNEAUT LAKE PARK INC TRUSTEES
- C-20077721 CLEAR-RUN, INC.
- C-20077722 EASTERN TELEPHONE SYSTEMS, INC.
- C-20077723 XCHANGE TELECOM CORP.
- C-20077726 LINE 1 COMMUNICATIONS, LLC
- C-20077727 CORNERSTONE TELEPHONE CO LLC
- C-20077728 HOPKINS, WM & REEDY, MELVIN
- C-20077729 LAKESIDE WATER SYSTEMS INC.
- C-20077730 LIGONIER MOUNTAIN LAND COMPANY
- C-20077731 LIGONIER MOUNTAIN LAND COMPANY
- C-20077732 NITTANY WATER CO.
- C-20077733 NORTH HEIDLEBERG SEWER COMPANY
- C-20077734 NORTH HEIDLEBERG SEWER COMPANY

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AUG 02 2007

BTL

PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIPT

The addressee named here has paid the PA P.U.C. for the following bill:

DATE: 10/29/2007
RECEIPT NO: 184018

NORTH COUNTY COMMUNICATIONS CORP.
3802 ROSECRANS STREET, SUITE 485
SAN DIEGO PA 92110

PUC VS. NORTH COUNTY COMMUNICATIONS CORP.

Fine for the violation of Pa Public Utility Law

IN RE: TOTAL AMOUNT OF CHECK IS \$500.00 AND INCLUDES A FINE AT C-20077667 ON A SEPARATE RECEIPT

Docket Number C-20077668..... \$250.00

REVENUE ACCOUNT: 001420-017000-101

CHECK NUMBER: 23581
CHECK AMOUNT: \$250.00

Michael Sobolesky
(for Department of Revenue)

DOCUMENT
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DOCKETED
OCT 31 2007

FILE



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

IN REPLY PLEASE
REFER TO OUR FILE

November 8, 2007

ORIGINAL

Todd Lesser
North County Communications Corp.
3802 Rosecrans Street
San Diego, CA 92110

Re: LBPS v. North County Communications Corp.
Docket No. C-20077668

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 according to the attached Certificate of Service.

**DOCUMENT
FOLDER**

Sincerely,

Kimberly A. Hafner
Law Bureau Prosecutory Staff

DOCKETED

NOV 13 2007

Enclosure
cc: Per certificate of service

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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SECRETARY'S BUREAU

Law Bureau Prosecutory Staff, :
Complainant :
v. : Docket No. C-20077668
North County Communications Corp., :
Respondent :

ORIGINAL

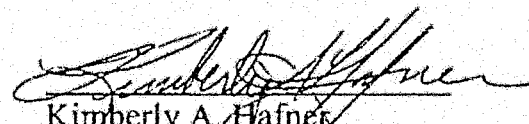
CERTIFICATE OF SATISFACTION

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 North County Communications Corp. (North County) is an entity with a mailing address at 3802 Rosecrans Street, San Diego, CA 92110 and holds a certificate of public convenience at Docket No. A-311046F0002.
2. That North County failed to file its 2005 Annual Report (Annual Report) pursuant to 66 Pa.C.S. § 504.
3. That North County'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 North County's failure to file its 2005 Annual Report.
5. That North County filed its 2005 Annual Report and paid \$250 late-filing fee.

That the Bureau of Fixed Utility Services is now satisfied that the filing of North County's 2005 Annual Report satisfies the company's annual report requirements for 2005 and North County 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: November 8, 2007

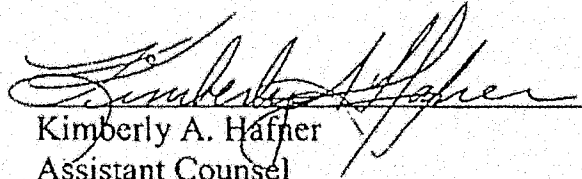
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SECRETARY'S BUREAU

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving the foregoing document, Certificate of Satisfaction, on behalf of the Bureau of Fixed Utility Services of the Pennsylvania Public Utility Commission, upon the persons listed and in the manner indicated below:

Service by First Class Mail addressed as follows:

Todd Lesser
North County Communications Corp.
3802 Rosecrans Street
San Diego, CA 92110



Kimberly A. Hafner
Assistant Counsel
Attorney ID No. 66268
Pennsylvania Public Utility Commission

P.O. Box 3265
Harrisburg, PA 17105-3265
Phone: (717) 787-5000

Dated: November 8, 2007

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