

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: 04/23/07
 8. DOCKET NO: C-20077735 : 9. EFFECTIVE DATE: 00/00/00

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

RESPONDENT/APPLICANT: XTENSION SERVICES, INC.

COMP/AFP COUNTY:

UTILITY CODE: 311177

ALLEGATION OR SUBJECT

LAW BUREAU PROSECUTORY STAFF COMPLAINT AGAINST XTENSION SERVICES, INC. FOR FAILURE TO FILE 2005 ANNUAL REPORT, WHEREFORE LAW BUREAU PROSECUTORY STAFF REQUESTS COMMISSION TO DIRECT XTENSION SERVICES, INC. TO PAY A \$1,000 CIVIL PENALTY.

DOCUMENT
FOLDER

DOCKETED
MAY 16 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 16, 2007*

Xtension Services, Inc.
4614 W Sunset Blvd.
Tampa, FL 33629

ORIGINAL

C-2007 7735

Law Bureau Prosecutory Staff

v.

Xtension Services, Inc.
(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

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

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MAY 16 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.

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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

Law Bureau Prosecutory Staff

v.

Xtension Services, Inc.
(2006.0295.00)

Docket No. C-2007 7735

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:

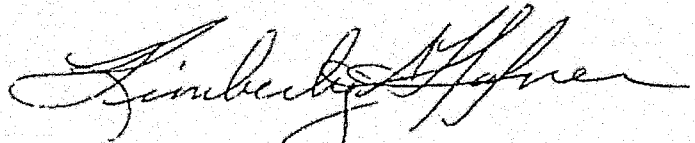
1. Xtension Services, Inc. (Respondent), maintains its principal place of business at 4614 W Sunset Blvd., Tampa, FL, 33629.
2. Respondent was issued a Certificate of Public Convenience by the Commission on March 4, 2005 at A-311177 to provide telephone service in the Commonwealth of Pennsylvania.
3. 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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FOLDER

DOCKETED
MAY 16 2007

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 Xtension Services, Inc. pursuant to 66 Pa. C.S. §3301 and direct Xtension Services, Inc. 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

PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIPT

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

DATE: 10/19/2007
RECEIPT NO: 184013

XTENSION SERVICES, INC.
2912 LAKESIDE DRIVE
OKLAHOMA CITY OK 73120

PUC VS. XTENSION SERVICES, INC.

Fine for the violation of Pa Public Utility Law

Docket Number C-20077735..... \$250.00

REVENUE ACCOUNT: 001420-017000-101

CHECK NUMBER: 4946
CHECK AMOUNT: \$250.00

Michael Sobolesky
(for Department of Revenue)

DOCUMENT
FOLDER

DOCKETED
OCT 23 2007

BTL

TELECOM
PROFESSIONALS, INC.

Judith A. Riley, J.D.

5909 Northwest Expressway, Suite 403
Oklahoma City, OK 73132

October 10, 2007

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

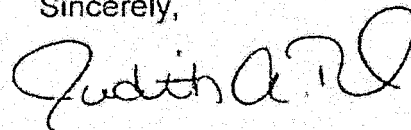
Re: C 2007-7735
Law Bureau vs. Xtension Services Inc.

Dear Mr. McNulty:

Enclosed please find a check in the amount of \$250.00 in payment of penalties for late filing of Xtension Services 2005 CAP Annual Report. A check was previously issued for this penalty but has not cleared our bank nor has it been returned to me. I have stopped payment on that check.

Please let me know if anything further is needed in this matter.

Sincerely,



Judith A. Riley

Enclosure

D. 311177
25
RECEIVED BY JAMES MCNULTY
10/10/07



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

Judith A. Riley
Xtension Services, Inc.
2912 Lakeside Drive
Oklahoma City, OK 73120

ORIGINAL

Re: LBPS v. Xtension Services, Inc.
Docket No. C-20077735

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

PA PUC
SECRETARY'S BUREAU

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Law Bureau Prosecutory Staff, :
Complainant :
v. : Docket No. C-20077735
Xtension Services, Inc., :
Respondent :

 **ORIGINAL**

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**PA PUC
SECRETARY'S BUREAU**

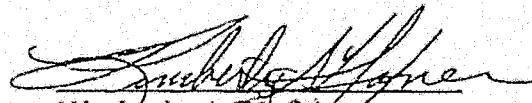
CERTIFICATE OF SATISFACTION

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 Xtension Services, Inc. (Xtension) is an entity with a mailing address at 2912 Lakeside Drive, Oklahoma City, OK 73120 and holds a certificate of public convenience at Docket No. A-311177.
2. That Xtension failed to file its 2005 Annual Report (Annual Report) pursuant to 66 Pa.C.S. § 504.
3. That Xtension'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 Xtension's failure to file its 2005 Annual Report.
5. That Xtension 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 Xtension's 2005 Annual Report satisfies the company's annual report requirements for 2005 and Xtension 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

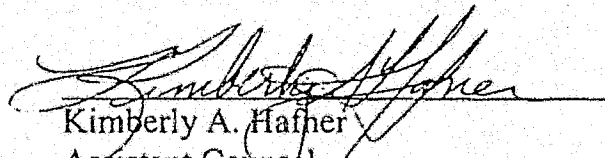
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SECRETARY'S BUREAU

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:

Judith A. Riley
Xtension Services, Inc.
2912 Lakeside Drive
Oklahoma City, OK 73120



Kimberly A. Hafler
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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