



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BUILDING
400 NORTH STREET, HARRISBURG, PA 17120

BUREAU OF
INVESTIGATION
&
ENFORCEMENT

December 1, 2025

Via Electronic Filing

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

Re: Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement v.
GC Pivotal LLC
Docket No. C-2025-
Formal Complaint

Dear Secretary Homsher:

Enclosed for electronic filing is the **Formal Complaint** of the Bureau of Investigation and Enforcement (“I&E”) of the Pennsylvania Public Utility Commission in the above-referenced matter.

Copies have been served on the parties of record in accordance with the Certificate of Service. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads 'Samantha N. Barbush'.

Samantha N. Barbush
Prosecutor
Bureau of Investigation and Enforcement
PA Attorney ID No. 331654
(717) 772-8582
sbarbush@pa.gov

SNB/ac
Enclosures

cc: Per Certificate of Service
Allison Kaster, I&E Director (*via email* – akaster@pa.gov)
Spencer Nahf, TUS Telco Supervisor (*via email* – snahf@pa.gov)

NOTICE

A. You must file an Answer within 20 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 Letter. *See* 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. The Answer must be submitted by efilings with the Secretary of the Commission by opening an efilings account through the Commission's website and accepting eservice at <http://www.puc.state.pa.us/efiling/default.aspx>. If your filing contains confidential material, you are required to file by overnight delivery to ensure the timely filing of your submissions to:

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, please electronically serve a copy on:

Samantha N. Barbush, Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
sbarbush@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the requested relief.

C. You may elect not to contest this Complaint by paying the civil penalty and performing the requested relief within 20 days. Send only a certified check or money order made payable to the "Commonwealth of Pennsylvania," with the docket number indicated, and mailed to:

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the requested relief set forth in this 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 the Complaint and may impose additional and/or alternative penalties as appropriate.

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

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at (717) 787-8714.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement	:	
Complainant	:	
	:	
v.	:	Docket No. C-2025-
	:	
GC Pivotal LLC	:	
Respondent	:	

FORMAL COMPLAINT

NOW COMES the Pennsylvania Public Utility Commission’s (“Commission”) Bureau of Investigation and Enforcement (“I&E”), by its counsel, and files this Formal Complaint against GC Pivotal LLC (“Respondent”), pursuant to Section 701 of the Public Utility Code, 66 Pa.C.S. § 701. In support of its Complaint, I&E respectfully represents the following:

I. PARTIES AND JURISDICTION

1. The Pennsylvania Public Utility Commission, with a mailing address of Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth pursuant to the Public Utility Code, 66 Pa.C.S. §§ 101, *et seq.*

2. Complainant is the Commission’s Bureau of Investigation and Enforcement and is the bureau established by the Commission to take enforcement actions necessary to

ensure compliance with the Public Utility Code and Commission regulations and orders. *See* 66 Pa.C.S. § 308.2(a)(11). *See also Implementation of Act 129 of 2008 Organization of Bureaus and Offices*, Docket No. M-2008-2071852 (Order entered August 11, 2011), p. 4.

3. Complainant is represented by:

Samantha N. Barbush
Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street, 3W
Harrisburg, PA 17120
(717) 772-8582
sbarbush@pa.gov

4. Respondent is GC Pivotal LLC and maintains its principal place of business at 4201 Wilson Boulevard, Suite 504, Arlington, VA 22203.

5. Respondent is a public utility as defined by Section 102 of the Public Utility Code and is engaged in “conveying or transmitting messages or communications, by telephone or telegraph...for the public for compensation.” 66 Pa.C.S. § 102 (relating to definition of public utility).¹

6. The Commission issued Respondent a certificate of public convenience on or about September 19, 2019, at A-2019-3013121.

¹ *See also* 66 Pa.C.S. § 2901, which provides that a public utility is a “person, partnership, association or corporation, now or hereafter owning or operating in this Commonwealth, equipment or facilities for conveying or transmitting messages or communications by telephone or telegraph to the public for compensation.”

7. Section 501(a) of the Public Utility Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Public Utility Code.

8. Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, authorizes the Commission to, *inter alia*, hear and determine complaints against public utilities for a violation of any law, regulation, or order that the Commission has jurisdiction to administer.

9. Section 3301 of the Public Utility Code, 66 Pa.C.S. § 3301, authorizes the Commission to impose civil penalties on any public utility, or any other person or corporation subject to the Commission's authority, for violation(s) of the Public Utility Code, Commission regulations, and/or Commission orders. Section 3301 further allows for the imposition of a separate fine for each day's continuance of such violation(s).

10. Respondent, by owning or operating equipment or facilities in the Commonwealth for conveying or transmitting messages or communications by telephone to the public for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Public Utility Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations.

11. At all times relevant to this complaint, Respondent was and is a public utility as defined by the Pennsylvania Public Utility Code.

12. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter of this complaint and the actions of Respondent related thereto.

II. FACTUAL BACKGROUND

13. Respondent is a Competitive Local Exchange Carrier (“CLEC”).

14. The Commission is expressly authorized to require a CLEC to submit an annual access line summary report pursuant to Section 3015(e)(6) of the Public Utility Code. 66 Pa.C.S. § 3015(e)(6).

15. Annual access line summary reports are used to calculate the Telecommunications Relay Service (“TRS”) surcharge.

16. The TRS surcharge supports the following programs: the TRS program, the Telecommunications Device Distribution Program (“TDDP”), and the Print Media Access System Program (“PMASP”).

17. The TRS program assists people with hearing and/or speech disabilities to use the telephone and seeks to ensure equivalent access to telecommunications services.

18. The TDDP provides specialized telecommunications devices, such as text telephones and amplifiers, at no charge to qualifying persons who are deaf or hard of hearing or have speech and language disorders or a physical disability that prevents them from using standard telecommunication equipment.

19. The PMASP provides newspaper reading services for persons who are blind.

20. The Relay Service Fund (“Fund”) covers eligible intrastate costs associated with the operations of these three programs. 52 Pa. Code § 63.37(a)(1).

21. The costs are recovered from residential and business wireline access line end-users by a monthly surcharge on local service telephone bills. *Id.*

22. The Commission requires each CLEC to file an annual access line summary report detailing its access line count as of December 31 of the preceding year, so that the Commission may effectively monitor and evaluate the revenue and cost data associated with the Fund. 52 Pa. Code § 63.37(a)(2).

23. The annual access line summary report must be submitted to the Secretary's Bureau by March 1 of each year in the format detailed as specified on the Commission's website. 52 Pa. Code § 63.37(c)(2).

III. VIOLATION

24. Respondent failed to file its 2024 annual access line summary report to the Commission's Secretary's Bureau by March 1, 2025, and this failure continues to the present time.² This constitutes a multiple violation of 52 Pa. Code § 63.37(c)(2).

IV. RELIEF REQUESTED

WHEREFORE, for all the foregoing reasons, the Pennsylvania Public Utility Commission's Bureau of Investigation and Enforcement respectfully requests that:

- 1) After consideration of the record, the assigned Administrative Law Judge and the Commission find Respondent in violation of the counts as set forth herein;
- 2) Respondent be ordered to file its 2024 annual access line summary report within thirty (30) days of entry of a Final Commission Order and, should Respondent receive an associated invoice for its TRS surcharge³, timely pay the TRS surcharge revenues that it owes as directed therein;

² Respondent was issued a final notice on April 1, 2025.

³ Currently, there is no TRS surcharge. TRS surcharge revenues will not be collected until excess of the Fund is spent down. See *Recalculation of the Pennsylvania Telecommunications Relay Service Surcharge*, Docket No. M-2024-3045235 (Order entered May 23, 2024); *Recalculation of the Pennsylvania Telecommunications Relay Service Surcharge*, Docket No. M-2025-3052796 (Order entered May 22, 2025).

- 3) Respondent be ordered to pay a civil penalty of two-hundred fifty dollars (\$250.00) within thirty (30) days of entry of a Final Commission Order;
- 4) The Commission revoke Respondent's certificate of public convenience in the event that Respondent fails to comply with paragraphs 2 and 3, supra; and
- 5) The Commission grant such further relief as is deemed appropriate.

Respectfully submitted,



Samantha N. Barbush
Prosecutor
PA Attorney ID No. 331654

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street, 3W
Harrisburg, PA 17120

Date: December 1, 2025


**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement	:	
Complainant	:	
	:	
v.	:	Docket No. C-2025-
	:	
GC Pivotal LLC	:	
	:	
Respondent	:	

VERIFICATION

I, Spencer Nahf, Supervisor, Bureau of Technical Utility Services, Telecommunications Section, 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 the Bureau will 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 unsworn falsification to authorities.

Date: December 1, 2025



Spencer Nahf, Supervisor
Telecommunications Section
Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement	:	
Complainant	:	
	:	
v.	:	Docket No. C-2025-
	:	
GC Pivotal LLC	:	
Respondent	:	

CERTIFICATE OF SERVICE

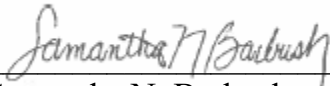
I hereby certify that I have this day served a true copy of the foregoing **Formal Complaint** dated December 1, 2025, upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Service by Certified Mail

GC Pivotal LLC
180 North Lasalle Street
Suite 2430
Chicago, IL 60601

GC Pivotal LLC
4201 Wilson Boulevard
Suite 504
Arlington, VA 22203

GC Pivotal LLC
c/o Cogency Global, Inc.
600 North Second Street
Harrisburg, PA 17101



Samantha N. Barbush
Prosecutor
Bureau of Investigation & Enforcement
PA Attorney ID No. 331654
(717) 772-8582
sbarbush@pa.gov