

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE ANNUAL
REPORTS FOR THE FISCAL ASSESSMENT
OF ALL REGULATED ENTITIES.

CASE NO. 16-01-AU-RPT

THIRD FINDING AND ORDER

Entered in the Journal on August 16, 2017

I. SUMMARY

{¶ 1} The Commission rescinds the applicable certificate or operating authority for the listed companies who have failed to pay the listed 2016 fiscal assessments.

II. DISCUSSION

{¶ 2} R.C. 4905.10 requires each railroad and public utility to pay an annual assessment based upon their intrastate gross earnings for the purpose of maintaining the operations of this Commission.¹ In order to calculate such assessment, R.C. 4905.14 requires each public utility to file an annual report with the Commission. R.C. 4905.10(A) sets a minimum assessment of \$100 per company, regardless of their intrastate gross revenues in the reporting year.

{¶ 3} R.C. 4905.54 empowers the Commission to assess a forfeiture of not more than \$10,000 per day for each violation or failure of a public utility or railroad, or an officer of a public utility or railroad, to comply with an order, direction, or requirement of the Commission made under authority of R.C. Chapter 4905.

¹ R.C. 4905.03(A) defines public utility companies to include telephone companies, electric light companies (except regional transmission organizations), heating or cooling companies, natural gas distribution companies, pipeline companies, and water-works and sewage disposal system companies. Railroad, bridge, and water transportation companies are included in the annual reporting requirement under R.C. 4907.02 and 4907.20. All certified retail electric and natural gas suppliers and aggregators are also subject to this reporting requirement under R.C. 4928.06 and 4929.23; while R.C. 4905.10(D) provides that, for the purpose of annual assessment, "public utility" includes electric and gas suppliers and aggregators subject to certification under R.C. 4928.08 and 4929.20, respectively. R.C. 4911.01(A)(4) excludes railroads from the OCC's assessment base.

{¶ 4} On March 8, 2017, the Commission issued its Second Finding and Order in this case, directing that the 25 companies listed on the attachment pay the indicated 2016 assessment amounts due the Commission by April 7, 2017, or a civil forfeiture of \$1,000 would be assessed pursuant to R.C. 4905.54. Additionally, the March 8, 2017 Second Finding and Order notified the 25 companies listed in the attachment that the listed certificate or operating authority was subject to rescission for failure to comply with the Second Finding and Order and that failure to pay the fiscal assessment or civil forfeiture due the Commission or OCC may constitute grounds for denying an application for certification in the future.

{¶ 5} The Commission's records currently reflect that the 16 companies listed on the attachment to this order have failed to pay the indicated assessment(s). Accordingly, each listed certificate should now be rescinded. Each listed company must now immediately cease providing regulated service in the state of Ohio under the listed certificate, and immediately notify any Ohio jurisdictional customers still being served thereunder that the company is no longer permitted to operate under such authority. Any company that continues to provide regulated service under a cancelled certificate may be subject to a forfeiture up to \$10,000 per day under R.C. 4905.54. As a final matter, each listed company has an obligation to file an annual report for calendar year 2017 up to the date that their operating authority was rescinded.

{¶ 6} The Docketing Division is directed to notify each listed company of the rescission of its certificate via certified mail in addition to any other means of service, cancel all applicable tariffs, and remove each listed certificate from the Commission's regulated company list.

III. ORDER

{¶ 7} It is, therefore,

{¶ 8} ORDERED, That each active certificate listed on the attachment to this Third Finding and Order be rescinded. It is, further,

{¶ 9} ORDERED, That each company listed on the attachment immediately cease providing regulated service in the state of Ohio under the rescinded certificate, and immediately notify any Ohio jurisdictional customers still being served thereunder that the company is no longer permitted to operate under such authority. It is, further,

{¶ 10} ORDERED, That each listed company has an obligation to file an annual report for calendar year 2017 up to the date that their operating authority was rescinded. It is, further,

{¶ 11} ORDERED, That the Commission's Docketing Division cancel all applicable tariffs, and remove any active certificates listed on the attachment from the Commission's regulated company list. It is, further,

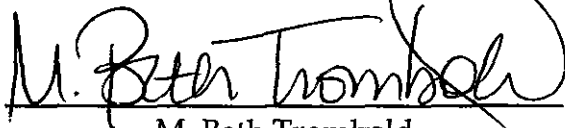
{¶ 12} ORDERED, That a copy of this Third Finding and Order and the attachment be served upon each listed company via certified and regular mail, in addition to any notice sent via electronic mail to all viable contact addresses for each listed company in the Commission's records. It is, further,

{¶ 13} ORDERED, That notice of this Third Finding and Order be served via the Electric-Energy, Gas-Pipeline, Railroad, Telephone, and Water industry list serves, and upon all parties of record.

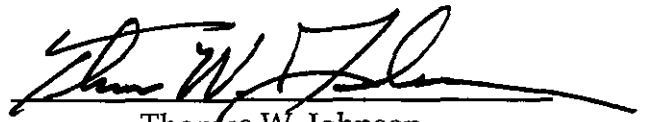
THE PUBLIC UTILITIES COMMISSION OF OHIO



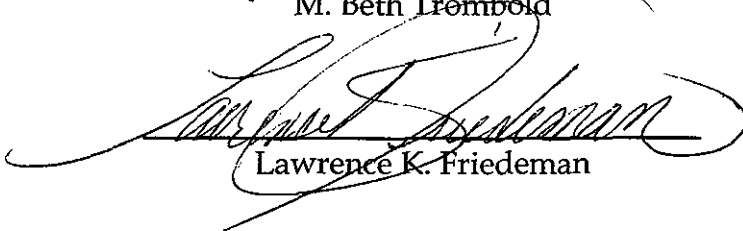
Asim Z. Haque, Chairman



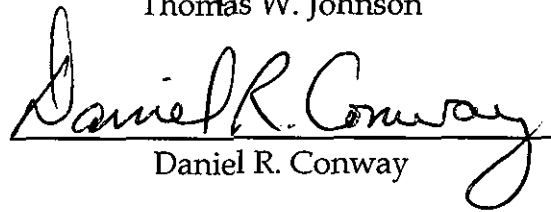
M. Beth Trombold



Thomas W. Johnson



Lawrence K. Friedeman

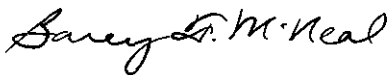


Daniel R. Conway

JRJ/vrm

Entered in the Journal

AUG 16 2017



Barcy F. McNeal
Secretary

Attachment to the August 16, 2017 Third Finding and Order in Case No. 16-01-AU-RPT.

The following fiscal assessments owed to the Commission for the certificate or operating authority listed below have not been paid:

	Company	Certificate	PUCO ID	Amount due PUCO
1.	Business Discount Plan Inc.	90-6136	300303	100.00
2.	Encompass Communications LLC	90-5970	300404	1,100.00
3.	Global Communications Network Inc.	90-9350	302040	100.00
4.	Innowatts, LLC	15-468G/15-993E	376521	100.00
5.	Iron Energy LLC	12-574E/12-270G	350475	41,438.43
6.	Long Distance Savings Solutions LLC	90-6224	301697	100.00
7.	NECC Telecom Inc.	90-5455	300153	100.00
8.	Net One International Inc.	90-6206	301135	100.00
9.	Nextility Inc.	14-843E/14-374G	366426	100.00
10.	Nova Ohio LLC	14-907E/15-446G	371548	100.00
11.	OneLink Communications Inc.	90-6049	300847	100.00
12.	Orion Power Holdings, LLC	14-861E	367541	100.00
13.	Primus Telecommunications Inc.	90-5637	300626	100.00
14.	Teledias Communications Inc.	90-6091	300164	100.00
15.	TeleUno Inc.	90-6048	300851	100.00
16.	Vitcom, LLC	90-9423	375279	100.00