

DIVIDER

STATE OF NORTH DAKOTA

□ INFORMATION TECHNOLOGY DEPARTMENT

SFN 2053 (4-2002)

PU-06-373

Public Service Commission

Communications Network Billing, Inc.

Ex Parte Cease & Desist

Filed 8/24/2006

Closed 7/2/2007

06

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Public Service Commission
Communications Network Billing, Inc.
Ex Parte Cease & Desist

Case No. PU-06-373

Public Service Commission
vs. Communications Network Billing, Inc.
Complaint

Case No. PU-06-378

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Patricia Miller deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **4th day of January, 2007**, she deposited in the United States Mail, Bismarck, North Dakota, **two** envelopes with certified postage, return receipt requested, fully prepaid, securely sealed and each containing a photocopy of:

Order

The envelopes were addressed as follows:

Communications Network Billing Inc
895 Dove St 3rd Fl
Newport Beach CA 92660-2941
Cert. No. 7005 1820 0002 3242 3723

TCS Corporate Services Inc
400 E Bdwy Ste 102
Bismarck ND 58501-4039
Cert. No. 7005 1820 0002 3242 3730

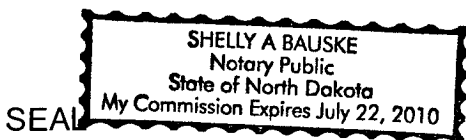
Each address shown is the respective addressee's last reasonably ascertainable post office address.

Patricia Miller

Subscribed and sworn to before me
this **4th day of January, 2007**.

Shelly A Bauske

Notary Public



**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Public Service Commission
Communications Network Billing, Inc.
Ex Parte Cease & Desist**

Case No. PU-06-373

**Public Service Commission
vs. Communications Network Billing, Inc.
Complaint**

Case No. PU-06-378

ORDER

December 29, 2006

Preliminary Statement

On August 25, 2006, the Public Service Commission staff (Staff) filed a Complaint with the Public Service Commission (Commission) alleging that Communications Network Billing, Inc. had been conducting marketing activities to obtain the unauthorized change of telecommunications service providers within the State of North Dakota in violation of N.D.C.C. § 49-21-02.4(2), and that Communications Network Billing, Inc. was in violation of the provisions of N.D.C.C. § 49-03.1-09 for failing to apply to register with the Commission as a telecommunications company as required by that section.

On August 25, 2006, the Commission issued a Cease and Desist Order against Communications Network Billing, Inc. ordering the entity to Cease and Desist all marketing activities involving the unauthorized change of telecommunications service providers within the State of North Dakota. A Notice of Opportunity for Hearing was also issued by the Commission advising Communications Network Billing, Inc. that it had an opportunity to request a hearing on the Cease and Desist Order within fifteen days of the issuance of the Cease and Desist Order.

On August 28, 2006, the Complaint, Cease and Desist Order, and Notice of Opportunity for Hearing were served by certified mail on Communications Network Billing, Inc., 895 Dove Street, 3rd Floor, Newport Beach, California 92660-2941, and on TCS Corporate Services, Inc., 400 East Broadway, Suite 102, Bismarck, North Dakota, the North Dakota registered agent for Communications Network Billing, Inc.

Communications Network Billing, Inc. was advised that it had twenty (20) days to respond to the Complaint, and that in the event it failed to respond to the Complaint an order may be entered against it in default.

Communications Network Billing, Inc. failed to timely file an answer to the Complaint, and failed to request a hearing on the Cease and Desist Order.

On November 22, 2006, the Commission issued a Default Order against Communications Network Billing, Inc. finding Communications Network Billing, Inc. in default for failing to respond to the Complaint. The Commission imposed a monetary penalty in the amount of \$5,000 for violation of N.D.C.C. §49-21-02.4 for conducting marketing activities to obtain the unauthorized change of telecommunications service providers within the State of North Dakota and for violation of N.D.C.C. §49-03.1-09 for failing to apply to register with the Commission as a telecommunications company as required by that section.

On November 25, 2006, Communications Network Billing, Inc. registered with the Commission as a telecommunications company under N.D.C.C. § 49-03.1-09.

On December 13, 2006, the Commission received a letter from Communications Network Billing, Inc. explaining changes it has made in its marketing procedures to eliminate future attempts of deceptive marketing. Communications Network Billing, Inc. enclosed check # 8779 in the amount of \$5,000 in full payment of the penalty assessed by the Commission. Communications Network Billing, Inc. requests that the Commission dismiss the Cease and Desist Order and allow the company to continue business in North Dakota.

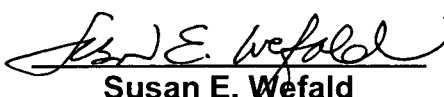

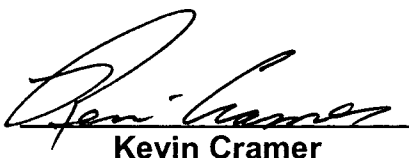
We find that Communications Network Billing, Inc. is currently in compliance with the requirements set forth in the Default Order and the laws of the State of North Dakota, and we find that the company's explanation of changes in its marketing procedures to eliminate future attempts of deceptive marketing is satisfactory.

Based on the foregoing, the Commission makes the following:

Order

The Commission orders that the Cease and Desist Order issued August 25, 2006 against Communications Network Billing, Inc. is **REVOKED**.

PUBLIC SERVICE COMMISSION

		
Susan E. Wefald Commissioner	Tony Clark President	Kevin Cramer Commissioner

APPROVED

DATE: 12-29-06
SB

MOTION

December 29, 2006

**Public Service Commission
Communications Network Billing, Inc.
Ex Parte Cease & Desist**

Case No. PU-06-373

**Public Service Commission
vs. Communications Network Billing, Inc.
Complaint**

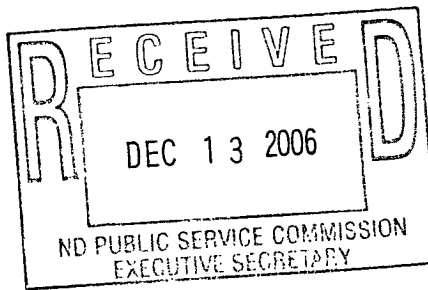
Case No. PU-06-378

I move the Commission adopt the Order Revoking the Cease and Desist Order in these proceedings.

WWB



COMMUNICATIONS
Network Billing Inc.



December 8, 2006

Mr. William W. Binek
North Dakota Public Service Commission
600 E. Boulevard Ave Dept. 408
Bismarck, ND 58505-0480

VIA Certified Mail

RE: Communications Network Billing Cease and Desist Order Case No. PU-06-373 & Case No. PU- 06-378

Dear Mr. Binek:

As per our telephone conversation and agreement on December 6, 2006 in the Commissioners meeting, I have enclosed the penalty check for the relief sought in the amount of \$5,000.00 for Case No. PU-06-378. Communications Network Billing is also asking the Commission to dismiss the Cease and Desist Order Case No. PU-06-373. You will also find a descriptive of our actions taken to eliminate future attempts of deceptive marketing.

Communications Network Billing, Inc., ("CNBI") has enclosed a check in the amount of \$5,000.00 for the relief sought for the deceptive marking call in an attempt to switch long distance services of Montana Dakota Utilities. Communications Network Billing accepts all responsibilities for marketing efforts provided by outside marketing agencies and apologizes to Montana Dakota Utilities and the Commission for this error.

Communications Network Billing, Inc. is asking the Commission to lift and remove the Cease and Desist Order Case No. PU-06-373. Communications Network Billing, Inc. did immediately cease all our marking efforts on August 30, 2006 upon receipt of the order. Communications Network Billing will continue with our own internal "voluntary cease and desist" until we have fully retrained our retained marketing agencies.

Communications Network Billing, Inc. has recently reviewed and updated our marketing procedures to make the necessary changes for the business and incorporate some new programs and policies:

- We have made it clear to our marketing agencies that:

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PU-06-373

Pages: 3

or, Newpo. 22
fax 800.

PU-06-378

Pages: 3

Penalty payment made and request for dismissal of Cease & Desist by Communications Network Billing, Inc.

12/13/2006 CC: Comm Legal Illona, Pat, Annette

Penalty payment made and request for dismissal of Cease & Desist by Communications Network Billing, Inc.

12/13/2006 CC: Comm Legal Illona, Pat, Annette

- Random sales monitoring must be done throughout the day for each representative marketing our products.
- We have redefined our “zero tolerance policy” which Misrepresentations will not be tolerated and will result in immediate representative termination.
- In order to verify that these changes are sufficient we have instituted a quality control call back system whereby a percentage of the customers will be called back to insure that they understand we have switched their service to Communications Network Billing and that there has been no misrepresentation.
- Our verification script has been strengthened to make it very clear to the customer that their long distance service will be switched.

Communications Network Billing, Inc. is not condoning any marketing agency retained to represent themselves as another provider or carrier. Communications Network Billing, Inc. is not affiliated with another provider or carrier. Communications Network Billing, Inc. is a provider of long distance services at competitive pricing.

Communications Network Billing, Inc. believes we have resolved our marketing issues and asks the Commission to forgive our errors and allow us to continue business in the state of North Dakota.

On behalf of Communications Network Service Billing I am asking for a dismissal of Case No. PU-06-373 and I would greatly appreciate considerations given. Please contact me directly with any further questions regarding this matter. You may reach me by direct telephone at 651-552-9661 or by direct fax 651-552-9774 or via my direct email prregulatory@comcast.net. Thank you.

Very truly yours,
Communications Network Billing Inc.



Pamela S. Rieck
Regulatory Affairs Director

Enclosures

CC: File

COMMUNICATIONS NETWORK BILLING, INC.

895 DOVE STREET
3rd FLOOR
NEWPORT BEACH, CA 92660

COMERICA BANK
DETROIT, MICHIGAN

9-9/720

12/7/2006

8779

Y
THE
ORDER OF North Dakota PSC

\$ 5,000.00

Five Thousand and 00/100

DOLLARS

North Dakota PSC
600 E Blvd Ave Dept 408
Bismarck ND 58505-0480



AUTHORIZED SIGNATURE

EMO

Security features: Details on back

⑈008779⑈ ⑆072000096⑆ 1851438562⑈

Scott, Sandi L.

From: Binek, William W.
Sent: Thursday, December 07, 2006 10:03 AM
To: prregulatory@comcast.net
Cc: -Grp-PSC Commissioners; -Grp-PSC Public Utilities; -Grp-PSC Legal
Subject: RE: CNBI penalty payment

Ms. Riech:

The check should be made payable to the North Dakota Public Commission and should be sent to Illona Jeffcoat-Sacco, Executive Secretary.

The person at TCS Corporate Services, Inc. who signed the certified mail receipt on November 24, 2006 for the Commission's Default Order was Melanie Saylor. The person at Communications Network Billing, Inc. who signed the certified mail receipt on November 27, 2006 for the Commission's Default Order was Shannon Cox.

Please contact me if you have further questions.

From: prregulatory@comcast.net [mailto:prregulatory@comcast.net]
Sent: Thursday, December 07, 2006 9:20 AM
To: Binek, William W.
Subject: CNBI penalty payment

Good Morning Mr. Binek,

I have a couple of questions for you.

Could you confirm to whom the check should be made payable?

Could you also tell me who signed for the order at TCS and directly at Communications Network Billing?

Thank you for your assistance. You will be receiving my letter and payment by Tuesday of next week.

Pam

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Pages: 1

Email re CNBI penalty payment

by Public Service Commission

12/07/2006 CC: Comm Legal Illona, Pat, Annette . .

21 **PU-06-378**

Pages: 1

Email re CNBI penalty payment

by Public Service Commission

12/07/2006 CC: Comm Legal Illona, Pat, Annette . .

Scott, Sandi L.

From: prregulatory@comcast.net
Sent: Tuesday, December 05, 2006 2:26 PM
To: Binek, William W.
Cc: -Grp-PSC Legal; Fahn, Patrick J.
Subject: Re: FW: Communications Network Billing, Inc., Case Nos. PU-06-373 and PU-06-378, Admin. item B 8

Hello Mr. Binek,

Yes thank you, I would like to listen in on the meeting tomorrow. You may reach me directly at 651-552-9661, I will await your call tomorrow morning.

Thank you for your assistance.

Pam

----- Original message -----

From: "Binek, William W." <wbinek@nd.gov>

Here is a memorandum that I sent to the Commissioners following our telephone conversation this morning. I think this pretty much summarizes our conversation. If you would like to listen in on the discussion with the Commissioners tomorrow, please let me know and we can call you when the item is ready to be discussed and will have you on speaker phone. If you wish to be on the phone, give me the telephone number we should use to call you. The Commission meeting starts at 11:00 am tomorrow, and I expect they will begin addressing the items on its Administrative Agenda at about 11:30 am.

From: Binek, William W.

Sent: Tuesday, December 05, 2006 9:48 AM

To: -Grp-PSC Commissioners; -Grp-PSC Public Utilities

Cc: -Grp-PSC Legal

Subject: Communications Network Billing, Inc., Case Nos. PU-06-373 and PU-06-378, Admin. item B 8

This morning I called Pamela Riech at Communications Network Billing, Inc. to find out if she had read my e-mail of 12-04-06 and to find out what Network Communications Billing, Inc. wanted the Commission to do.

Ms. Riech stated that she had received and had read my e-mail. She said that she tried to find verification that the September 1, 2006 letter had been faxed, but that she was unable to find any verification that it had been done. She said that the call to MDU was made by a telemarketing company, and that Communications Network Billing, Inc. does not condone deceptive marketing and is working to make sure it does not happen in the future. She asked what the company could do to rectify the matter.

I told Ms. Riech that I would visit with the Commission at the Admin. meeting tomorrow, but my suggestion at this time is that Communications Network Billing, Inc. pay the penalty and send the Commission an explanation of the action that the company is taking or has taken to make certain that this type of activity does not occur in the future. I explained that there were two violations set forth in the complaint (1) failure to register under N.D.C.C. 49-03.1-09, and (2) conducting marketing activities to obtain the unauthorized change of telecommunications service providers under N.D.C.C. 49-21-02.4. I

said that the penalty that was assessed was primarily for the slamming violation. I told her that the Commission has zero tolerance with slamming violations. She indicated that the company will pay the penalty and will send that Commission and explanation of the actions taken by the company to make certain that slamming does not occur in the future. The company will likely make a request that the Cease and Desist Order be terminated.

Sharon checked the registration records this morning and found that Communications Network Billing, Inc. did register under N.D.C.C. 49-03.1-09 on November 25, 2006.

Scott, Sandi L.

From: Binek, William W.
Sent: Tuesday, December 05, 2006 9:52 AM
To: Scott, Sandi L.
Cc: Binek, William W.
Subject: FW: Re:Communications Network Billing Cease and Desist Order and Complaint, Case Nos. PU-06-373 and PU-06-378

From: Helbling, Sharon D.
Sent: Tuesday, December 05, 2006 7:19 AM
To: Binek, William W.
Subject: RE: Re:Communications Network Billing Cease and Desist Order and Complaint, Case Nos. PU-06-373 and PU-06-378

FYI-I checked the website and this company registered on 11-25-06.

From: Binek, William W.
Sent: Monday, December 04, 2006 5:02 PM
To: prregulatory@comcast.net
Cc: -Grp-PSC Commissioners; -Grp-PSC Public Utilities; -Grp-PSC Legal
Subject: Re:Communications Network Billing Cease and Desist Order and Complaint, Case Nos. PU-06-373 and PU-06-378

To: Pamela S. Rieck
Regulatory Affairs Director
Communications Network Billing, Inc.

I received and docketed your letter dated December 1, 2006 which I received via facsimile on December 1, 2006. You attached a letter dated September 1, 2006 that you state was faxed to the Commission. As I stated to you in our telephone conversation on December 1, 2006, the Commission did not receive that document either by mail or facsimile. Even if it had been received, it does not, in my opinion, suffice as an answer to the Commission's Complaint or a response to the Commission's Cease and Desist Order.

With regard to the Cease and Desist Order, all that Communications Network Billing, Inc. states is that it has taken immediate action to cease all marketing activities in North Dakota, and that it has conducted a thorough investigation of the matter. The Cease and Desist Order and a Notice of Opportunity for Hearing on the Cease and Desist Order were served by certified mail on August 25, 2006 on Communications Network Billing, Inc., and on TCS Corporate Services, Inc., its registered agent in North Dakota Inc. The return receipts show that service was accepted by both entities on August 28, 2006. No request for hearing on the Cease and Desist Order was received by the Commission.

With regard to the Complaint, service was made by certified mail on August 25, 2006, and service was accepted on August 28, 2006. You state that the September 1, 2006 letter was faxed to the Commission, but as stated previously, the document was not received by the Commission. You have provided no evidence showing that the document was actually faxed to the Commission. Even if the letter had been received by the Commission, it does not respond to the allegations contained in the Complaint. There are numerous allegations in the Complaint. The complaint alleges that Communications Network Billing, Inc conducted illegal marketing activities to obtain the unauthorized change of telecommunications service providers, and that it failed to register with the Commission as a telecommunications company under N.D.C.C. § 49-03.1-09. The letter states that the company has done a customer search and was unable to locate an account for Montana-Dakota Utilities Company (MDU), that it does not tolerate slamming and does not condone misrepresentations of any kind, and that it will be conducting an internal investigation, but does not specifically deny that the slamming attempt occurred. There would not be an account for MDU because the slamming attempt was unsuccessful.

The Notice of Default that accompanied the Default Order that was served by the Commission advises that the Default

Order has been issued by the Commission, and that under N.D.C.C. § 28-32-30(2) Communications Network Billing, Inc may file a written motion requesting that the default order be vacated and state the grounds relied upon for the motion.

I will put this matter on the Commission's Administrative Agenda for its meeting on December 6th for discussion.

Please call me if you have any questions. My phone number is 701-328-4088.

Scott, Sandi L.

From: Binek, William W.
Sent: Tuesday, December 05, 2006 9:48 AM
To: -Grp-PSC Commissioners; -Grp-PSC Public Utilities
Cc: -Grp-PSC Legal
Subject: Communications Network Billing, Inc., Case Nos. PU-06-373 and PU-06-378, Admin. item B 8

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Ms. Riech stated that she had received and had read my e-mail. She said that she tried to find verification that the September 1, 2006 letter had been faxed, but that she was unable to find any verification that it had been done. She said that the call to MDU was made by a telemarketing company, and that Communications Network Billing, Inc. does not condone deceptive marketing and is working to make sure it does not happen in the future. She asked what the company could do to rectify the matter.

I told Ms. Riech that I would visit with the Commission at the Admin. meeting tomorrow, but my suggestion at this time is that Communications Network Billing, Inc. pay the penalty and send the Commission an explanation of the action that the company is taking or has taken to make certain that this type of activity does not occur in the future. I explained that there were two violations set forth in the complaint (1) failure to register under N.D.C.C. 49-03.1-09, and (2) conducting marketing activities to obtain the unauthorized change of telecommunications service providers under N.D.C.C. 49-21-02.4. I said that the penalty that was assessed was primarily for the slamming violation. I told her that the Commission has zero tolerance with slamming violations. She indicated that the company will pay the penalty and will send that Commission and explanation of the actions taken by the company to make certain that slamming does not occur in the future. The company will likely make a request that the Cease and Desist Order be terminated.

Sharon checked the registration records this morning and found that Communications Network Billing, Inc. did register under N.D.C.C. 49-03.1-09 on November 25, 2006.

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E-mail re staff contact w/CNB

by Public Service Commission by Bill Binek Chief Couns
12/05/2006 CC: Comm Legal Illona, Pat, Annette . .

1

18 PU-06-378

Pages: 1

E-mail re staff contact w/CNB

by Public Service Commission by Bill Binek Chief Couns
12/05/2006 CC: Comm Legal Illona, Pat, Annette . .

Scott, Sandi L.

From: Binek, William W.
Sent: Monday, December 04, 2006 5:02 PM
To: preregulatory@comcast.net
Cc: -Grp-PSC Commissioners; -Grp-PSC Public Utilities; -Grp-PSC Legal
Subject: Re: Communications Network Billing Cease and Desist Order and Complaint, Case Nos. PU-06-373 and PU-06-378

To: Pamela S. Rieck
Regulatory Affairs Director
Communications Network Billing, Inc.

I received and docketed your letter dated December 1, 2006 which I received via facsimile on December 1, 2006. You attached a letter dated September 1, 2006 that you state was faxed to the Commission. As I stated to you in our telephone conversation on December 1, 2006, the Commission did not receive that document either by mail or facsimile. Even if it had been received, it does not, in my opinion, suffice as an answer to the Commission's Complaint or a response to the Commission's Cease and Desist Order.

With regard to the Cease and Desist Order, all that Communications Network Billing, Inc. states is that it has taken immediate action to cease all marketing activities in North Dakota, and that it has conducted a thorough investigation of the matter. The Cease and Desist Order and a Notice of Opportunity for Hearing on the Cease and Desist Order were served by certified mail on August 25, 2006 on Communications Network Billing, Inc., and on TCS Corporate Services, Inc., its registered agent in North Dakota Inc. The return receipts show that service was accepted by both entities on August 28, 2006. No request for hearing on the Cease and Desist Order was received by the Commission.

With regard to the Complaint, service was made by certified mail on August 25, 2006, and service was accepted on August 28, 2006. You state that the September 1, 2006 letter was faxed to the Commission, but as stated previously, the document was not received by the Commission. You have provided no evidence showing that the document was actually faxed to the Commission. Even if the letter had been received by the Commission, it does not respond to the allegations contained in the Complaint. There are numerous allegations in the Complaint. The complaint alleges that Communications Network Billing, Inc conducted illegal marketing activities to obtain the unauthorized change of telecommunications service providers, and that it failed to register with the Commission as a telecommunications company under N.D.C.C. § 49-03.1-09. The letter states that the company has done a customer search and was unable to locate an account for Montana-Dakota Utilities Company (MDU), that it does not tolerate slamming and does not condone misrepresentations of any kind, and that it will be conducting an internal investigation, but does not specifically deny that the slamming attempt occurred. There would not be an account for MDU because the slamming attempt was unsuccessful.

The Notice of Default that accompanied the Default Order that was served by the Commission advises that the Default Order has been issued by the Commission, and that under N.D.C.C. § 28-32-30(2) Communications Network Billing, Inc may file a written motion requesting that the default order be vacated and state the grounds relied upon for the motion.

I will put this matter on the Commission's Administrative Agenda for its meeting on December 6th for discussion.

Please call me if you have any questions. My phone number is 701-328-4088.

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Pages: 1

Staff response to CNB

by Public Service Commission by Bill Binek, Chief Coun
12/04/2006 CC: Comm Legal Illona, Pat, Annette . .

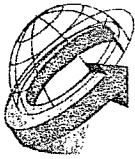
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17 PU-06-378

Pages: 1

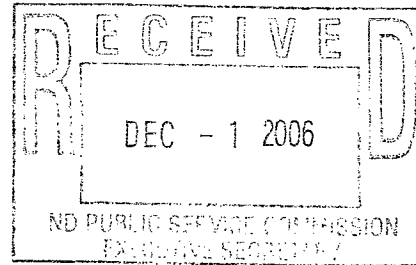
Staff response to CNB

by Public Service Commission by Bill Binek, Chief Coun
12/04/2006 CC: Comm Legal Illona, Pat, Annette . .



COMMUNICATIONS
Network Billing Inc.

December 1, 2006



Mr. William W. Binek
North Dakota Public Service Commission
600 E. Boulevard Ave Dept. 408
Bismarck, ND 58505-0480

VIA FACSIMILE & Registered Certified Mail

**RE: Communications Network Billing Cease and Desist Order & Complaint
Case No. PU-06-373 & PU- 06-378**

Dear Mr. Binek:

As per our telephone conversation today, December 1, 2006 I am enclosing the original response that was faxed to your office 701-328-2410 on September 1, 2006 along with a recap of my efforts regarding the above referenced Cease and Desist Order and Complaint.

Communications Network Billing Inc., ("CNBI") received the above-referenced order to cease and desist and a complaint filed with the North Dakota Public Service Commission dated August 25, 2006. Communications Network Billing Inc. has reviewed the order of cease and desist and the complaint of Mr. Scott Macintosh, President for Qwest Corporation and we have conducted a thorough investigation of this matter.

Communications Network Billing Inc. immediately ceased all our marketing efforts on August 30, 2006 upon receipt of the order. Communications Network Billing Inc. also did an immediate search for an account for Montana-Dakota Utilities (MDU), which we were unable to locate an established long distance account within Communications Network Billing. I then drafted my response to you as you see attached and faxed to the Commission fax number listed on the top right of your stationary.

Communications Network Billing, Inc. had not received any reply to my response until the notification dated November 21, 2006 was received and the most recent default order dated November 22, 2006 imposing fines and penalties

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Pages: 4

Response to Cease and Desist Order &
Complaint
by Communications Network Billing, Inc.
12/01/2006 CC: Comm Legal Illona, Pat, Annette . .

Floor, New
516 fax 81

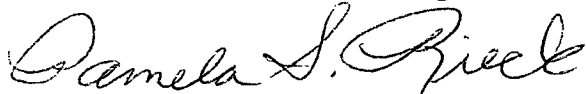
16 PU-06-378

Pages: 4

Response to Cease and Desist Order &
Complaint
by Communications Network Billing, Inc. by
12/01/2006 CC: Comm Legal Illona, Pat, Annette . .

On behalf of Communications Network Service Billing I am asking for a re-evaluation of these cases and a review of my attached documentation. I would greatly appreciate any consideration given to these cases. Please contact me directly with any further questions regarding this matter. You may reach me by direct telephone at 651-552-9661 or by direct fax 651-552-9774 or via my direct email prregulatory@comcast.net. Thank you.

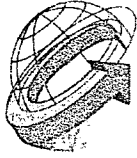
Very truly yours,
Communications Network Billing Inc.



Pamela S. Rieck
Regulatory Affairs Director

Enclosures

CC: File



COMMUNICATIONS
Network Billing Inc.

September 1, 2006

Mr. William W. Binek
North Dakota Public Service Commission
600 E. Boulevard Ave Dept. 408
Bismarck, ND 58505-0480

VIA FACSIMILE

**RE: Communications Network Billing Cease and Desist Order
Case No. PU-06-373 & PU- 06-378**

Dear Sir or Madam:

Communications Network Billing Inc., Inc. ("CNBI") has received the above-referenced order to cease and desist and a complaint filed with the North Dakota Public Service Commission dated August 25, 2006. Communications Network Billing Inc. has reviewed the order of cease and desist and the complaint of Mr. Scott Macintosh, President for Qwest Corporation and we have conducted a thorough investigation of this matter.

Communications Network Billing Inc. is a provider of long distance telecommunications services for residential and business customers. Communications Network Billing Inc. markets its services to these customers through independent telemarketing firms.

Communications Network Service Billing, Inc. acknowledges the State of North Dakota's order to cease and desist. Communications Network Billing Inc. has taken immediate action to cease all marketing efforts in the state of North Dakota as ordered.

Communications Network Service Billing has reviewed Mr. Macintosh's statement indicating an individual had attempted to change Montana-Dakota Utilities Company's (MDU's) long distance service to Communications Network Billing, Inc. The complaint also indicates Mr. Macintosh has included recordings of the telephone conversations with his email.

Communications Network Billing, Inc. has done a complete customer search and is unable to locate an account for Montana-Dakota Utilities Company (MDU).

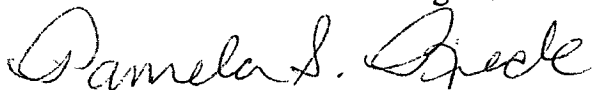
Communications Network Billing Inc. maintains strict quality control in conducting sales. All sales are verified by an appropriately qualified, independent third-party verification company prior to being submitted for processing, in strict accordance with applicable Federal Communications Commission (FCC) rules.

Communications Network Billing Inc. does not tolerate "slamming" or misrepresentations of any kind with marketing its services. The company will take immediate corrective action against any marketer that they believe is violating its telemarketing policies and procedures.

I sincerely apologize to Mr. Macintosh and the state of North Dakota for any inconveniences and miscommunications that have occurred. Communications Network Billing Inc. does not condone misrepresentations of any kind and will be conducting an internal investigation in this matter.

Communications Network Billing Inc. asks that the Commission to close this file and consider this complaint to be resolved. Please contact me directly with any further questions regarding this matter. Thank you.

Very truly yours,
Communications Network Billing Inc.

A handwritten signature in cursive script that reads "Pamela S. Rieck".

Pamela S. Rieck
Regulatory Affairs Director

CC: File



Public Service Commission
State of North Dakota

COMMISSIONERS

Tony Clark, President
Susan E. Wefald
Kevin Cramer

Executive Secretary
Ilona A. Jeffcoat-Sacco

600 E. Boulevard Ave. Dept 408
Bismarck, North Dakota 58505-0480
web: www.psc.state.nd.us
e-mail: ndpsc@nd.gov
TDD 800-366-6888
Fax 701-328-2410
Phone 701-328-2400

August 25, 2006

Mr. C. Hurley Cox
Communications Network Billing, Inc.
895 Dove Street, 3rd Floor
Newport Beach, CA 92660-2941

TCS Corporate Services, Inc.
400 East Broadway, Suite 102
Bismarck, ND 58501-4039

Re: **Public Service Commission**
Communications Network Billing, Inc.
Ex Parte Cease & Desist
Case No. PU-06-373

Public Service Commission
vs. Communications Network Billing, Inc.
Complaint
Case No. PU-06-378

Gentlemen:

Enclosed is a copy of the Ex Parte Motion for Cease and Desist Order, Affidavit in Support Ex Parte Motion for Cease and Desist Order, Cease and Desist Order, Notice of Opportunity for Hearing, and Complaint that is being served upon Communications Network Billing, Inc. Communications Network Billing, Inc. has twenty (20) days from the receipt of the complaint in which to file its answer.

Please contact us if you have any questions.

Thank you.

Sincerely,

William W. Birtek
Special Assistant Attorney General

Enclosure

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

**Public Service Commission
Communications Network Billing, Inc.
Ex Parte Cease & Desist**

Case No. PU-06-373

CEASE AND DESIST ORDER

August 25, 2006

On August 25, 2006, Public Service Commission staff (staff) filed an Ex parte Motion for Cease and Desist Order against Communications Network Billing, Inc. requesting that the Commission issue an order to require Communications Network Billing, Inc. to immediately cease and desist the entity's marketing activities and the unauthorized change of telecommunications service providers within the State of North Dakota.

On August 22, 2006, Scott Macintosh, President for Qwest Corporation (Qwest) in North Dakota, contacted the Public Service Commission (Commission) by telephone and e-mail to advise that a person named Susan Stanley had attempted to change Montana-Dakota Utilities Company's (MDU's) long distance service to Communications Network Billing, Inc.

Scott Macintosh attached to his e-mail recordings of telephone conversations between an MDU employee, an employee of a verification company and Susan Stanley. In the recordings, Susan Stanley claims to be a supervisor with Qwest. She states that there was a power outage that resulted in incorrect billing charges and that she needs to reinstate MDU back to Communications Network Billing Incorporated for intrastate and interstate long distance calls for an overcharge to be credited back. She said she had prior approval from MDU accounts payable to speak with someone on the main call center line. She gave instructions to the MDU employee on how to respond to questions from the verification company. She said to respond yes to three questions and the only time to say no is when the verification company asks if there are any additional phone lines.

Communications Network Billing, Inc. was issued a Certificate of Registration by the Commission on December 31, 2003, Case No. PU-2973-03-691 to resell interexchange telecommunications services in North Dakota. A new section 49-03.1-09 to the North Dakota Century Code was enacted by the Legislature effective August 1, 2005 concerning the registration of non-incumbent telecommunications companies. By a September 27, 2005 memorandum, the Commission informed all North Dakota non-incumbent telecommunications companies, including companies that had already obtained certificates of public convenience and necessity or registration certificates, that

they must register using the Commission's new Telecommunications Company Electronic Registration Process. The memorandum was mailed to Communications Network Billing, Inc. and was posted to the Commission's web page. Communications Network Billing, Inc. has not registered using the electronic registration process.

Under N.D.C.C. § 49-21-01(19) a telecommunications company means a person engaged in the furnishing of telecommunications service within North Dakota. Under N.D.C.C. 49-21-01(20) telecommunications service is the offering for hire of telecommunications facilities, or transmitting for hire telecommunications by means of such facilities whether by wire, radio, lightwave, or other means.

The Commission is authorized under N.D.C.C. § 49-21-02.4(1) to enforce the provisions of title 47, Code of Federal Regulations, part 64, subpart k which prohibits the unauthorized change of a subscribers selection of a provider of telecommunications service. N.D.C.C. § 49-21-02.4(2) prohibits the unauthorized change of an intrastate telecommunications provider. N.D.C.C. § 49-21-02.4(3) provides the Commission with authority to issue a cease and desist order without prior notice against a telecommunications company that the Commission has reason to believe is in violation of N.D.C.C. § 49-21-02.4 or title 47, Code of Federal Regulations, part 64, subpart k.

Staff requests that the Commission issue an Ex Parte Cease and Desist Order against Communications Network Billing, Inc., as authorized by N.D.C.C. § 49-21-02.4, to immediately cease and desist the entity's marketing activities and the unauthorized change of telecommunications service providers within the State of North Dakota. Staff further requests that the Commission issue to Communications Network Billing, Inc. a notice of opportunity to be heard on the cease and desist order within fifteen days of the issuance or the order.

The Commission has considered staff's Ex parte Motion for Cease and Desist Order and finds that a cease and desist order is necessary because Communications Network Billing, Inc. is not registered to operate as a telecommunications company in North Dakota. The Commission further finds that unless a cease and desist order is issued, telecommunications subscribers may suffer immediate economic loss, damage or injury as a result of the actions of Communications Network Billing, Inc.

Therefore, the Commission issues the following:

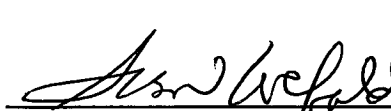
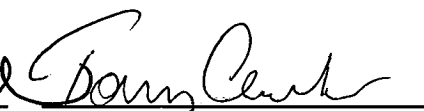

Order

The Commission orders:

1. That Communications Network Billing, Inc. **Cease and Desist** all marketing activities involving the unauthorized change of telecommunications service providers within the State of North Dakota.

2. The Commission will issue to Communications Network Billing, Inc. a notice of opportunity to be heard within fifteen days of the issuance of this order.

PUBLIC SERVICE COMMISSION

		
Susan E. Wefald Commissioner	Tony Clark President	Kevin Cramer Commissioner

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Public Service Commission
Communications Network Billing, Inc.
Ex Parte Cease & Desist**

Case No. PU-06-373

NOTICE OF OPPORTUNITY FOR HEARING

August 25, 2006

On August 25, 2006, the Commission issued a Cease and Desist Order against Communications Network Billing, Inc. ordering the entity to Cease and Desist all marketing activities involving the unauthorized change of telecommunications service providers within the State of North Dakota.

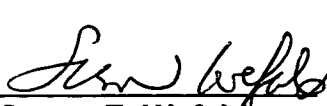
The issues to be considered in a hearing, if requested, are:


1. Do the operations of Communications Network Billing, Inc. require registration as a telecommunications company in North Dakota under N.D.C.C. § 49-03.1-09?
2. Is the Communications Network Billing, Inc. legally registered as a telecommunications company with the Commission?
3. Has the Communications Network Billing, Inc. conducted illegal marketing activities to facilitate the unauthorized change of telecommunications service providers within the State of North Dakota?
4. Was the Cease and Desist Order lawfully issued by the Commission?
5. Other issues that may appropriately come before the Commission relating to this matter.


You are hereby notified that you have the opportunity to request a hearing on this matter. A request for hearing must be made in writing within fifteen days of the issuance of the Cease and Desist Order.

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials please notify Illona A. Jeffcoat-Sacco, Executive Secretary.

PUBLIC SERVICE COMMISSION


Susan E. Wefald
Commissioner


Tony Clark
President


Kevin Cramer
Commissioner



Public Service Commission
State of North Dakota

COMMISSIONERS

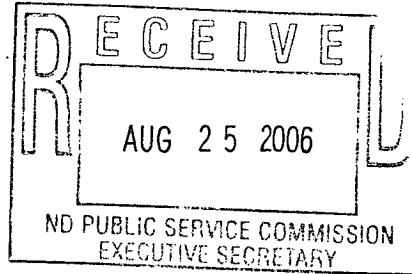
Tony Clark, President
Susan E. Wefald
Kevin Cramer

Executive Secretary
Illona A. Jeffcoat-Sacco

August 25, 2006

600 E. Boulevard Ave. Dept 408
Bismarck, North Dakota 58505-0480
web: www.psc.state.nd.us
e-mail: ndpsc@nd.gov
TDD 800-366-6888
Fax 701-328-2410
Phone 701-328-2400

Ms. Illona A. Jeffcoat-Sacco
Public Service Commission
600 E Boulevard Ave. Dept. 408
Bismarck, ND 58505-0480



**RE: Public Service Commission vs.
Communications Network Billing, Inc.
Ex Parte Cease & Desist
Case No. PU-06-373**

Dear Ms. Jeffcoat-Sacco:

Enclosed for filing in the above referenced case are the original and seven copies of the following documents in this proceeding:

- 1) Ex Parte Motion for Cease and Desist Order;
- 2) Affidavit in Support of Ex Parte Motion for Cease and Desist Order;
- 3) Proposed Cease and Desist Order; and
- 4) Proposed Notice of Opportunity for Hearing

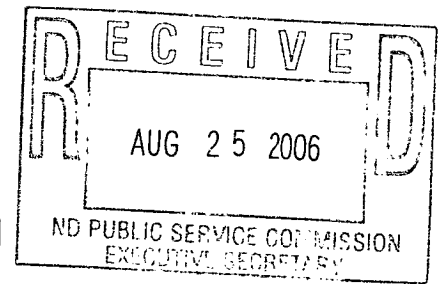
Thank you.

Sincerely,

William W. Binek
Special Assistant Attorney General

Enclosures

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION



Public Service Commission
Communications Network Billing, Inc.
Ex Parte Cease & Desist

Case No. PU-06-373

EX PARTE MOTION FOR CEASE AND DESIST ORDER

Public Service Commission staff (staff) files this Ex parte Motion for Cease and Desist Order against Communications Network Billing, Inc. requesting that the Commission issue an order to require Communications Network Billing, Inc. to immediately cease and desist the entity's marketing activities involving the unauthorized change of telecommunications service providers within the State of North Dakota.

On August 22, 2006, Scott Macintosh, President for Qwest Corporation (Qwest) in North Dakota, contacted the Public Service Commission (Commission) by telephone and e-mail to advise that a person named Susan Stanley had attempted to change Montana-Dakota Utilities Company's (MDU's) long distance service to Communications Network Billing, Inc.

Scott Macintosh attached to his e-mail recordings of telephone conversations between an MDU employee, an employee of a verification company and Susan Stanley. In the recordings, Susan Stanley claims to be a supervisor with Qwest. She states that there was a power outage that resulted in incorrect billing charges and that she needs to reinstate MDU back to Communications Network Billing Incorporated for intrastate and interstate long distance calls for an overcharge to be credited back. She said she had prior approval from MDU accounts payable to speak with someone on the main call center line. She gave instructions to the MDU employee on how to respond to questions from the verification company. She said to respond yes to three questions and the only time to say no is when the verification company asks if there are any additional phone lines.

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Network Billing, Inc. and was posted to the Commission's web page. Communications Network Billing, Inc. has not registered using the electronic registration process.

Under N.D.C.C. § 49-21-01(19) a telecommunications company means a person engaged in the furnishing of telecommunications service within North Dakota. Under N.D.C.C. 49-21-01(20) telecommunications service is the offering for hire of telecommunications facilities, or transmitting for hire telecommunications by means of such facilities whether by wire, radio, lightwave, or other means.

The Commission is authorized under N.D.C.C. § 49-21-02.4(1) to enforce the provisions of title 47, Code of Federal Regulations, part 64, subpart k which prohibits the unauthorized change of a subscribers selection of a provider of telecommunications service. N.D.C.C. § 49-21-02.4(2) prohibits the unauthorized change of an intrastate telecommunications provider. N.D.C.C. § 49-21-02.4(3) provides the Commission with authority to issue a cease and desist order without prior notice against a telecommunications company that the Commission has reason to believe is in violation of N.D.C.C. § 49-21-02.4 or title 47, Code of Federal Regulations, part 64, subpart k.

Unless this motion is granted, telecommunications subscribers may suffer immediate economic loss, damage or injury as a result of the actions of Communications Network Billing, Inc.

Staff requests that the Commission issue an Ex parte Cease and Desist Order against Communications Network Billing, Inc., as authorized by N.D.C.C. § 49-21-02.4 to immediately cease and desist the entity's marketing activities involving the unauthorized change of telecommunications service providers within the State of North Dakota. Staff further requests that the Commission issue to Communications Network Billing, Inc. a notice of opportunity to be heard on the cease and desist order within fifteen days of the issuance or the order.

Dated this 25th day of August, 2006.



William W. Binek (ID#02990)
Special Assistant Attorney General
Public Service Commission
600 E. Boulevard Ave., Dept. 408
Bismarck, ND 58505-0480
Phone: 701-328-4088
Fax: 701-328-2410
Counsel for Public Service Commission Staff

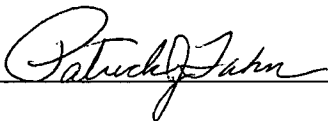
incumbent telecommunications companies, including companies that had already obtained certificates of public convenience and necessity or registration certificates, that they must register using the Commission's new Telecommunications Company Electronic Registration Process. The memorandum was mailed to Communications Network Billing, Inc. and was posted to the Commission's web page. Communications Network Billing, Inc. has not registered using the electronic registration process.

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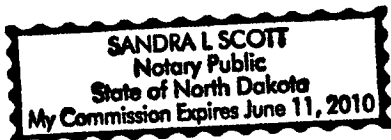
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Affiant believes that an emergency exists which requires ex parte action by the Commission because telecommunications subscribers may suffer immediate economic loss, damage or injury as a result of the actions of Communications Network Billing, Inc.

Affiant requests that the Commission issue an Ex parte Cease and Desist Order against Communications Network Billing, Inc. as authorized by N.D.C.C. § 49-21-02.4 requiring Communications Network Billing, Inc to cease and desist all marketing activities involving the unauthorized change of telecommunications service providers within the State of North Dakota.



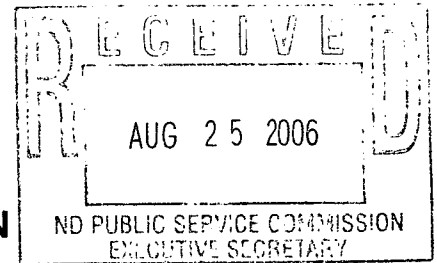
Subscribed and sworn to before me this 25th day of August, 2006.





Notary Public

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION



Public Service Commission
Communications Network Billing, Inc.
Ex Parte Cease & Desist

Case No. PU-06-373

CEASE AND DESIST ORDER

August 25, 2006

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Staff requests that the Commission issue an Ex Parte Cease and Desist Order against Communications Network Billing, Inc., as authorized by N.D.C.C. § 49-21-02.4, to immediately cease and desist the entity's marketing activities and the unauthorized change of telecommunications service providers within the State of North Dakota. Staff further requests that the Commission issue to Communications Network Billing, Inc. a notice of opportunity to be heard on the cease and desist order within fifteen days of the issuance of the order.

The Commission has considered staff's Ex parte Motion for Cease and Desist Order and finds that a cease and desist order is necessary because Communications Network Billing, Inc. is not registered to operate as a telecommunications company in North Dakota. The Commission further finds that unless a cease and desist order is issued, telecommunications subscribers may suffer immediate economic loss, damage or injury as a result of the actions of Communications Network Billing, Inc.

Therefore, the Commission issues the following:

Order

The Commission orders:

1. That Communications Network Billing, Inc. **Cease and Desist** all marketing activities involving the unauthorized change of telecommunications service providers within the State of North Dakota.

2. The Commission will issue to Communications Network Billing, Inc. a notice of opportunity to be heard within fifteen days of the issuance of this order.

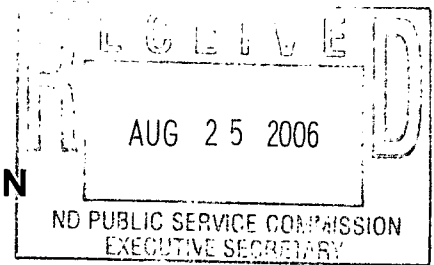
PUBLIC SERVICE COMMISSION

**Susan E. Wefald
Commissioner**

**Tony Clark
President**

**Kevin Cramer
Commissioner**

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**



**Public Service Commission
Communications Network Billing, Inc.
Ex Parte Cease & Desist**

Case No. PU-06-373

NOTICE OF OPPORTUNITY FOR HEARING

August 25, 2006

On August 25, 2006, the Commission issued a Cease and Desist Order against Communications Network Billing, Inc. ordering the entity to Cease and Desist all marketing activities involving the unauthorized change of telecommunications service providers within the State of North Dakota.

The issues to be considered in a hearing, if requested, are:

1. Do the operations of Communications Network Billing, Inc. require registration as a telecommunications company in North Dakota under N.D.C.C. § 49-03.1-09?
2. Is the Communications Network Billing, Inc. legally registered as a telecommunications company with the Commission?
3. Has the Communications Network Billing, Inc. conducted illegal marketing activities to facilitate the unauthorized change of telecommunications service providers within the State of North Dakota?
4. Was the Cease and Desist Order lawfully issued by the Commission?
5. Other issues that may appropriately come before the Commission relating to this matter.

You are hereby notified that you have the opportunity to request a hearing on this matter. A request for hearing must be made in writing within fifteen days of the issuance of the Cease and Desist Order.

For more information contact the Public Service Commission, State Capitol, Bismarck, North Dakota 58505, 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY. If you require any auxiliary aids or services, such as readers, signers, or Braille materials please notify Illona A. Jeffcoat-Sacco, Executive Secretary.

PUBLIC SERVICE COMMISSION

**Susan E. Wefald
Commissioner**

**Tony Clark
President**

**Kevin Cramer
Commissioner**

PN-06-373; PN-06-378

<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature X <i>A. Phillips</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
	B. Received by (Printed Name) <i>A. Phillips</i>	C. Date of Delivery <i>1-9-07</i>
1. Article Addressed to: <i>Communications Network Billing Dept. 895 Dove St 3rd Fl Newport Beach Ca 92660-2941</i>	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label)	7005 3110 0003 6265 3723	
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540		

PN-06-373; PN-06-378

<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature X <i>Tracy M. M</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
	B. Received by (Printed Name)	C. Date of Delivery <i>1-5-07</i>
1. Article Addressed to: <i>JC Corporate Services Inc 400 S Blwy Ste 102 Bismarck ND 58501-4039</i>	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label)	7005 3110 0003 6265 3730	
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540		

Scott, Sandi L.

From: Jenkins, Clara M. on behalf of -Info-SOS Business Info/Reg
Sent: Friday, August 25, 2006 8:01 AM
To: Scott, Sandi L.
Subject: RE: Customer Information Request

Communications Network Billing, Inc. is currently authorized and in good standing. Their registered agent is:
TCS Corporate Services, Inc.
400 E Broadway Ste 102
Bismarck ND 58501-4039

This information is available from the Secretary of State's web database at <https://secure.apps.state.nd.us/sc/busnsrch/busnSearch.htm>

Clara M. Jenkins, Director
ND Secretary of State's Business Division

-----Original Message-----

From: slscott@nd.gov [mailto:slscott@nd.gov]
Sent: Friday, August 25, 2006 7:58 AM
To: -Info-SOS Business Info/Reg
Subject: Customer Information Request

A customer has requested additional information from web application Entity Name Search.

The PSC would like to know if Communications Network Billing, Inc., Baltimore, MD is currently registered with the the Secretary of State and if so who is their registered agent in North Dakota. We have a copy of their Certificate of Authority Foreign Corporation Application which was filed with you on October 1, 2003. ID#19721100 was assigned to them. They listed James P. Rausch as their registered agent, however it is our understanding that Mr. Rausch has passed away. Thank you.




Please contact the customer using their contact information below.

Customer's Name: Sandi Scott

Customer's Email address: slscott@nd.gov

Customer's Phone: 328-4081

North Dakota nd.gov Official Portal for North Dakota State Government



SECRETARY OF STATE NORTH DAKOTA

[Home](#) | [Business Records Search](#)

COMMUNICATIONS NETWORK BILLING, INC.

Corporation Details

System ID: 19721100 **Phone:** (800) 913-2042
Type: FOREIGN BUSINESS CORPORATION
Status: Active & Good Standing
Original File Date: 10/01/2003 **Effective Date:** 10/01/2003
State of Origin: Nevada

Nature of Business

PROVIDE TELECOMMUNICATION SERVICES

Principal Office

895 DOVE ST 3RD FL NEWPORT BEACH, CA 92660-2941

Registered Agent

TCS CORPORATE SERVICES, INC.
400 E BROADWAY STE 102
BISMARCK, ND 58501-4039
Established Date: Jun 24, 2004

Generate an Annual Report To File

To Generate a Annual Report form to be filed with the Secretary of State, select the appropriate year of the report you intend to file. This report does not contain details of a report previously filed with the Secretary of State. The annual report years reflected are an indication of the various report forms available in this site and is not an indication that an entity needs to file reports for all years. Missing years indicate that the forms for the missing year have not yet been deployed to the website, or have already been removed, and can be obtained by contacting the Secretary of State.

[2005](#) [2006](#) (generates a forms-fillable pdf in a new pop-up window)

[Return to Search Results](#)

[Privacy Policy](#) | [Contact Information](#)

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**FOREIGN CORPORATION
ANNUAL REPORT**
SECRETARY OF STATE
SFN 17156 (02-2006)

2006

FOR OFFICE USE ONLY

ID#		19,721,100	
WO#			
Filed	By		

(Name of corporation and name and address of the registered agent)

REPORT DUE MAY 15, 2006

By law, the envelope containing the report must be postmarked on or before May 15, 2006 to be considered timely filed. See instructions for EXTENSIONS

1. FILING FEES:

\$25.00 if postmarked on or before May 15, 2006

UNLESS AN EXTENSION IS GRANTED:

\$45.00 if postmarked after May 15, 2006 and on or before August 15, 2006

\$85.00 if postmarked after August 15, 2006 and on or before May 15, 2007

2. State of Origin:	Nevada
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COMMUNICATIONS NETWORK BILLING, INC.

TCS CORPORATE SERVICES, INC.
400 E BROADWAY STE 102
BISMARCK, ND 58501-4039

TYPE OR PRINT LEGIBLY - SEE REVERSE SIDE FOR FEES, FILING AND MAILING INSTRUCTIONS

Provisions regarding annual reports are found in North Dakota Century Code, Section 10-19.1-146.

3. Business activities actually engaged in: PROVIDE TELECOMMUNICATION SERVICES	4. Telephone #: (800) 913-2042	5. Federal ID #:
---	---------------------------------------	------------------

6. Address of corporation's principal place of business as previously reported (Street/RR, City, State, Zip+4) If incorrect, cross out and correct as necessary. Address cannot only be a post office box. 895 DOVE ST 3RD FL
NEWPORT BEACH, CA 92660-2941

7. OFFICERS AND DIRECTORS OF THE CORPORATION							
OFFICE	NAME	Check box if Officer also serves as Director	Street/RR	PO Box	City	State	Zip+4
PRESIDENT		<input type="checkbox"/>					
VICE PRES.		<input type="checkbox"/>					
SECRETARY		<input type="checkbox"/>					
TREASURER		<input type="checkbox"/>					
DIRECTOR		<input type="checkbox"/>					
DIRECTOR		<input type="checkbox"/>					

8. SUMMARY OF CORPORATION'S SHARES ON DATE THIS REPORT WAS EXECUTED			
AUTHORITY TO ISSUE CLASS	NUMBER OF SHARES	PAR VALUE PER SHARE U.S. \$	9. NUMBER OF SHARES ISSUED

10. The financial information in items 11 through 14 as of fiscal year ending 12/31/2006 (month, day, year) SEE NOTE ON REVERSE	11. Value of ALL property owned by the corporation U.S. \$	12. Value of property located in North Dakota U.S. \$
	13. TOTAL GROSS INCOME derived from business operations for calendar year or fiscal year U.S. \$	14. GROSS INCOME derived from business in North Dakota U.S. \$

15. Additional information necessary or appropriate to determine an additional license fee, if any:

16. Name of person to contact about this report:	E-Mail Address:	Daytime telephone # and extension, if any:
--	-----------------	--

17. "The undersigned has read the foregoing annual report, knows the contents, and believes the information provided is correct."

Signature

Date

18. Provide the name and mailing address where the report could be returned if necessary, for corrections, additional information, or payment.

ATTN: _____

Business / Firm Name: _____

Mailing Address: _____

City State Zip

19. ELECTRONIC OPTIONS FOR COMPLETING REPORT:

An exact duplicate of this report, with the same preprinted data and instructions, is available on the Secretary of State's website at www.nd.gov/sos. The form is fillable and prompts the filer through the completion of the report, which minimizes errors or omissions. The report can then be printed and sent, along with the appropriate fee, to the Secretary of State.

To access the report, go to www.nd.gov/sos and click on Business Services in the left menu. Then, follow this screen-clicking path: Business Registrations; scroll down to annual report forms, and Foreign Business Corporation Annual Report. On the entity name search screen, enter all or part of the Corporation name or the Corporation ID number located in the box on the top right corner of page 1 of this report. When you have found your Corporation name, click on PDF icon in the right column to access the fillable form.

If your Corporation prefers the fillable option, you may choose to have a postcard notice sent annually to the Corporation's registered agent instead of receiving this entire packet. The postcard notice will be initiated when sufficient interest is demonstrated. The postcard will inform the registered agent that the Corporation's annual report is due. It will provide directions to the Secretary of State's website to access the report form and instructions. To select the postcard notification option, please fill in the appropriate circle following the question.

For future reporting periods, do you authorize the Secretary of State to send a postcard informing the Corporation that its annual report is due and available on the Secretary of State's website?

YES OR NO



CREDIT CARD PAYMENT AUTHORIZATION
SECRETARY OF STATE
 SFN 51478 (02-04)

(All items required to complete transaction)

Name: _____			
Address: _____		City: _____	State: _____ Zip Code: _____
<input type="checkbox"/> VISA <input type="checkbox"/> Master Card <input type="checkbox"/> Discover		Signature: (Required by credit card companies)	
Account Number: _____	V# _____	Card Expires: _____	Date: _____
		Month - Year	

Mailing Address:
 Annual Report Processing Center
 Secretary of State
 State of North Dakota
 600 E Boulevard Avenue, Dept. 108
 PO Box 5513
 Bismarck ND 58506-5513

Fax #: 701-328-2992

E-mail: sosrpt@state.nd.us

INSTRUCTIONS TO FILE FOREIGN CORPORATION ANNUAL REPORT - 2006

Each year, a foreign corporation holding a certificate of authority to transact business in North Dakota must file an annual report. The annual report is due on or before May 15, 2006. If the foreign corporation no longer transacts business in North Dakota and wishes to voluntarily withdraw its authority, contact the Secretary of State's Business Division for information regarding withdrawal. If a foreign corporation chooses not to file an annual report by the due date or withdraw, state law requires the revocation of the authority one year after the report's due date.

State law (N.D.C.C. 10-19.1-146) requires specific information on an annual report. Therefore, please read the following instructions carefully. Even though a corporation's report is submitted, it cannot be considered timely filed until the report contains all the information required by law. If the report must be returned for additions or corrections, the foreign corporation may be subject to late filing penalties.

Corporation Name and Registered Agent: The foreign corporation's name, and the name and address of the registered agent are pre-printed on the form exactly as they are stated in the foreign corporation's Certificate of Authority on record with the Secretary of State. If the foreign corporation has changed its name, or the name or address of its registered agent, do not make any changes on the form to the pre-printed corporate name or to the registered agent's name or address. By law, a foreign corporation is only allowed to change its legal corporate name in North Dakota by filing an Application for Amended Certificate of Authority. A foreign corporation may only change the name or address of the registered agent by filing an Application for Amended Certificate of Authority or the Registered Agent/Office Statement of Change (form enclosed).

Instructions: The following numbered instructions correspond to the numbers on the annual report form.

1. The filing fee is \$25 if postmarked on or before May 15, 2006. If an extension has not been granted, the fee is \$45 if postmarked after May 15, 2006 and on or before August 15, 2006, and \$85 if postmarked thereafter but on or before May 15, 2007. Checks must be made payable to the Secretary of State (must be negotiable United States funds). If credit card payment is preferred, use the Credit Card Payment Authorization below. (When faxing an annual report to the Secretary of State, maintain the fax transmission log as proof that the annual report was timely filed.)

EXTENSION: If the annual report cannot be filed by the filing deadline, the law allows the Secretary of State to grant an extension. The request for an extension must be made in writing and postmarked on or before May 15, 2006. A request can be hand carried, emailed, mailed or faxed. It must include (a) the name of the corporation; (b) the "ID#" from the upper right corner of the front page; and (c) a specific date (month, day) by which the 2006 report will be filed. The extended filing deadline must be within the eleven month period after May 15, 2006. Please note, only one extension can be granted.

STANDING EXTENSION: A foreign corporation with a fiscal year ending between February 15 and May 15 may request an extension to apply to reports for subsequent years. A standing extension must be requested in writing and be emailed, postmarked or faxed on or before May 15, 2006. It must include (a) the name of the corporation; (b) the "ID#" from the upper right corner of the front page; and (c) a specific date (month, day) by which the report will be filed each year. The extended filing deadline must be within the eleven month period after the May 15 deadline. This date will be the extended date of the report each year until the fiscal year is changed, or an alternate extension is requested.

2. The state of origin of the corporation has been preprinted on the form. No changes or additions are required.
3. Describe the business activities in which the corporation is actually engaged in North Dakota if not already preprinted as previously reported. Change the purpose if not correctly reflected.
4. A telephone number for the corporation is required. The number as previously reported is preprinted on the form. Change the number if no longer correct.
5. A corporation's Federal ID number is helpful for maintaining accurate records. The number as previously reported is preprinted on the form. If not previously reported, please provide, if you have one. If the preprinted number is not correct, cross out and correct as necessary.

Privacy: In compliance with N.D.C.C., Section 10-19.1-149.1, social security or Federal ID numbers are not disclosed to the public. They are used by the Secretary of State to maintain accurate corporate files. Therefore, while voluntary disclosure is requested, failure to do so will not result in rejection of the document.
6. The address of the corporation's principal office is preprinted as previously reported to this office. If this address is no longer correct, cross out the incorrect address and provide the correct complete address. If the corporation does not maintain an office, provide the address of one of the corporation's offices. A complete address must include a street or rural address, a post office box (if applicable), the city and state, and a zip code address with 4-digit extension. The address cannot only be a post office box number. It must include a street or rural address.
7. List the names and complete mailing addresses of the officers and directors. If the space provided is not adequate, attach a list of additional officers. A complete address must include a street or rural address, a post office box number if applicable, the city and state, and zip code with 4 digit extension.
8. Summarize the number of shares the corporation has authority to issue and the par value (in U.S. dollars) per share itemized by classes or series.
9. Summarize the shares actually issued for each authorized class. If shares have not been issued, enter a "0" or "None" in this number.
10. Provide the fiscal year end for the financial information in numbers 11 through 14. If the corporate fiscal year ends on December 31, the year end should be December 31, 2005. If the fiscal year ends prior to May 15, the year end should be that month, day, 2006. If the fiscal year ends after May 15, the year end should be that month, day, 2005.

If the corporation has filed a previous report, the fiscal year end for this report which is subsequent to that on the previous report filed has been preprinted on the form. If this year end has changed, provide the correct year end and explain the change.

11. Provide the value (in U.S. dollars) of all property owned by the corporation wherever located. This amount is the same amount as "Total Assets" on the federal tax return. Property is defined in N.D.C.C., Section 1-01-49 to include both real and personal property and are defined as follows:
 - a. Personal property includes money, goods, chattels, things in action, and evidences of debt.
 - b. Real property shall be coextensive with lands, tenements, and hereditaments (things capable of being inherited).
12. Provide the value (in U.S. dollars) of the property which is located in North Dakota according to the definition of property in instruction 11.
13. Provide the total gross income (in U.S. dollars) the corporation derived from all business operations during the fiscal year. This amount is the same amount reported as "Total Income" on the federal tax return.
14. Provide the total gross income (in U.S. dollars) the corporation derived from business operations in North Dakota during the fiscal year.
15. Provide any information that affects the corporation's authority to transact business in North Dakota, or this annual report.

INSTRUCTIONS TO FILE FOREIGN CORPORATION ANNUAL REPORT - 2006

INSTRUCTIONS FOR COMPLETING PAGE 2:

- 16. List the name, e-mail address, daytime telephone number, and extension, if any, of a contact person, if this office has questions or needs additional information to file the report.
- 17. The report must be signed and dated by a person authorized by the corporate articles or bylaws, or by a resolution approved by the Board of Directors.

To process your annual report more efficiently, please provide the following information. It is not a part of the report's legal requirements and will not be retained as a part of the public record.

However, it may allow the Secretary of State's staff to make contact with the right person for expediting additions or corrections to the annual report form when returning it to the filer. If the report must be returned to the filer by regular mail, the following information will make it possible to send it direct to the filer's contact person who can provide a timely response. Occasionally, returned reports are misplaced or misdirected within a filer's office, which sometimes results in the assessment of a late filing fee. Your volunteering the requested information may prevent that from happening and result in faster processing of your report.

- 18. Provide the name and mailing address where the Secretary of State should return the report, if necessary, for corrections, additional information, or payment.
- 19. **READ CAREFULLY!** Mark the circle and sign if you elect to be notified by postcard instead of a paper form packet when future annual reports are due.

ASSISTANCE: If assistance is required to complete the annual report, contact the Secretary of State.

FAX FILING: The document and Credit Card Payment Authorization may be faxed to 701-328-2992. A faxed filing does not expedite the process of the document in the office of the Secretary of State. When faxing an annual report to the Secretary of State, maintain the fax transmission log as proof that the annual report was timely filed.

EMAIL FILING: Documents and Credit Card Payment Authorization may be emailed to the Secretary of State at sosrpt@state.nd.us. In order to transmit by email, the report must be scanned and the image transmitted via email.

MAILING INSTRUCTIONS: Send the completed annual report to:

Annual Report Processing Center
Secretary of State
State of North Dakota
600 E Boulevard Avenue, Dept. 108
PO Box 5513
Bismarck ND 58506-5513



**FOREIGN CORPORATION
ANNUAL REPORT**
SECRETARY OF STATE
SFN 17156 (01-2005)

2005

FOR OFFICE USE ONLY

ID#	19,721,100
WO#	
Filed	By

(Name of corporation and name and address of the registered agent)

REPORT DUE MAY 16, 2005

By law, the envelope containing the report must be postmarked on or before May 16, 2005 to be considered timely filed. See instructions for EXTENSIONS

1. FILING FEES:

\$25.00 if postmarked on or before May 16, 2005

UNLESS AN EXTENSION IS GRANTED:
\$45.00 if postmarked after May 16, 2005 and on or before August 15, 2005
\$85.00 if postmarked after August 15, 2005 and on or before May 15, 2006

2. State of Origin:	Nevada
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COMMUNICATIONS NETWORK BILLING, INC.

TCS CORPORATE SERVICES, INC.
400 E BROADWAY STE 102
BISMARCK, ND 58501-4039

TYPE OR PRINT LEGIBLY - SEE REVERSE SIDE FOR FEES, FILING AND MAILING INSTRUCTIONS

Provisions regarding annual reports are found in North Dakota Century Code, Section 10-19.1-146.

3. Business activities actually engaged in: PROVIDE TELECOMMUNICATION SERVICES	4. Telephone #: (800) 913-2042	5. Federal ID #:
---	---------------------------------------	------------------

6. Address of corporation's principal place of business as previously reported (Street/RR, City, State, Zip+4) If incorrect, cross out and correct as necessary. Address cannot only be a post office box. 895 DOVE ST 3RD FL
NEWPORT BEACH, CA 92660-2941

7. OFFICERS AND DIRECTORS OF THE CORPORATION								
OFFICE	NAME	Check box if Officer also serves as Director	Street/RR	PO Box	City	State	Zip+4	COMPLETE MAILING ADDRESS
PRESIDENT		<input type="checkbox"/>						
VICE PRES.		<input type="checkbox"/>						
SECRETARY		<input type="checkbox"/>						
TREASURER		<input type="checkbox"/>						
DIRECTOR		<input type="checkbox"/>						
DIRECTOR		<input type="checkbox"/>						

8. SUMMARY OF CORPORATION'S SHARES ON DATE THIS REPORT WAS EXECUTED			
AUTHORITY TO ISSUE CLASS	NUMBER OF SHARES	PAR VALUE PER SHARE U.S. \$	9. NUMBER OF SHARES ISSUED

10. The financial information in items 11 through 14 as of fiscal year ending 12/31/2006 (month, day, year) SEE NOTE ON REVERSE	11. Value of ALL property owned by the corporation U.S. \$	12. Value of property located in North Dakota U.S. \$
	13. TOTAL GROSS INCOME derived from business operations for calendar year or fiscal year U.S. \$	14. GROSS INCOME derived from business in North Dakota U.S. \$

15. Additional information necessary or appropriate to determine an additional license fee, if any:

16. Name of person to contact about this report:	E-Mail Address:	Daytime telephone # and extension, if any:
--	-----------------	--

17. "The undersigned has read the foregoing annual report, knows the contents, and believes the information provided is correct."

Signature

Date

INSTRUCTIONS TO FILE FOREIGN CORPORATION ANNUAL REPORT - 2005

Each year, a foreign corporation holding a certificate of authority to transact business in North Dakota must file an annual report. The annual report is due on or before May 16. If the foreign corporation no longer transacts business in North Dakota and wishes to voluntarily withdraw its authority, contact the Secretary of State's Business Division for information regarding withdrawal. If a foreign corporation chooses not to file an annual report by the due date or withdraw, state law requires the revocation of the authority one year after the report's due date.

State law (N.D.C.C. 10-19.1-146) requires specific information on an annual report. Therefore, please read the following instructions carefully. Even though a corporation's report is submitted, it cannot be considered timely filed until the report contains all the information required by law. If the report must be returned for additions or corrections, the foreign corporation may be subject to late filing penalties.

Corporation Name and Registered Agent: The foreign corporation's name, and the name and address of the registered agent are pre-printed on the form exactly as they are stated in the foreign corporation's Certificate of Authority on record with the Secretary of State. If the foreign corporation has changed its name, or the name or address of its registered agent, do not make any changes on the form to the pre-printed corporate name or to the registered agent's name or address. By law, a foreign corporation is only allowed to change its legal corporate name in North Dakota by filing an Application for Amended Certificate of Authority. A foreign corporation may only change the name or address of the registered agent by filing an Application for Amended Certificate of Authority or the Registered Agent/Office Statement of Change.

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7. List the names and complete mailing addresses of the officers and directors. If the space provided is not adequate, attach a list of additional officers. A complete address must include a street or rural address, a post office box number if applicable, the city and state, and zip code with 4 digit extension.
8. Summarize the number of shares the corporation has authority to issue and the par value (in U.S. dollars) per share itemized by classes or series.
9. Summarize the shares actually issued for each authorized class. If shares have not been issued, enter a "0" or "None" in this number.
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 - a. Personal property includes money, goods, chattels, things in action, and evidences of debt.
 - b. Real property shall be coextensive with lands, tenements, and hereditaments (things capable of being inherited).
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13. Provide the total gross income (in U.S. dollars) the corporation derived from all business operations during the fiscal year. This amount is the same amount reported as "Total Income" on the federal tax return.
14. Provide the total gross income (in U.S. dollars) the corporation derived from business operations in North Dakota during the fiscal year.
15. Provide any information that affects the corporation's authority to transact business in North Dakota, or this annual report.
16. List the name, e-mail address, daytime telephone number, and extension, if any, of a contact person, if this office has questions or needs additional information to file the report.
17. The report must be signed and dated by a person authorized by the corporate articles or bylaws, or by a resolution approved by the Board of Directors.

INSTRUCTIONS TO FILE FOREIGN CORPORATION ANNUAL REPORT - 2005

INSTRUCTIONS FOR COMPLETING PAGE 2:

To process your annual report more efficiently, please provide the following information. It is not a part of the report's legal requirements and will not be retained as a part of the public record.

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18. Provide the name and mailing address where the Secretary of State should return the report, if necessary, for corrections, additional information, or payment.
19. **READ CAREFULLY!** Mark the circle and sign if you elect to be notified by postcard instead of a paper form packet when future annual reports are due.

ASSISTANCE: If assistance is required to complete the annual report, contact the Secretary of State.

FAX FILING: The document and Credit Card Payment Authorization may be faxed to 701-328-2992. A faxed filing does not expedite the process of the document in the office of the Secretary of State. When faxing an annual report to the Secretary of State, maintain the fax transmission log as proof that the annual report was timely filed.

MAILING INSTRUCTIONS: Send the completed annual report to:

Annual Report Processing Center
Secretary of State
State of North Dakota
600 E Boulevard Avenue, Dept. 108
PO Box 5513
Bismarck ND 58506-5513

Telephone: 701-328-4284 Toll Free: 800-352-0867 (8-4284) Fax: 701-328-2992 Web Site: www.state.nd.us/sec



**CERTIFICATE OF AUTHORITY
FOREIGN CORPORATION
APPLICATION**
SECRETARY OF STATE
SFN 13100A (13100 + 7974) (7-99)

RECEIVED

**OCT 01 2003
SEC. OF STATE**

FOR OFFICE USE ONLY

ID #	19,721,100
WO #	78566
Filed	10-1-03
By	NS

SEE REVERSE SIDE FOR FEES, FILING AND MAILING INSTRUCTIONS

- 1.A. The application **MUST** be accompanied by ALL of the following:
- Filing fee of \$125 if a Foreign Business or Professional Corporation
 - Filing fee of \$40 if a Foreign Nonprofit Corporation
 - Signed Consent of Registered Agent and fee of \$10
 - Current, ORIGINAL CERTIFICATE OF GOOD STANDING OR CERTIFICATE OF EXISTENCE verifying corporate existence certified by the incorporating officer of the state or country of incorporation.
- B. The following **MAY** be required:
- Certification of professional license from the North Dakota licensing board for the profession
 - Signed consent to use of name and fee of \$10
 - Trade Name Registration and fee of \$25

TYPE OR PRINT LEGIBLY For reference, see North Dakota Century Code, Section 10-19.1-135, or 10-33-125.

2. Type of corporation applying for Certificate of Authority: (check one)

- Foreign Business Foreign Professional Foreign Nonprofit

3.A. Name of corporation **EXACTLY** as it appears on Certificate of Good Standing from state of origin
COMMUNICATIONS NETWORK BILLING, INC.

B. Federal ID #
30-0182880

C. If the corporation chooses to use a name other than its corporate name, that name is a trade name and must be registered with the North Dakota Secretary of State. (SEE INSTRUCTION 3.C.) If applicable, provide the trade name below and complete the Trade Name Registration form if the selected trade name is not already registered in North Dakota.

D. If the corporation has been notified by the North Dakota Secretary of State that its corporate name is the same as, or deceptively similar to a name already registered, this application for Certificate of Authority must be accompanied by one of the following: (check one)

- Consent to use of name from the conflicting name holder(s)
 An application for registration of a trade name for use in transacting business in North Dakota. The trade name adopted is:

Certified copy of a final decree of a court of competent jurisdiction establishing prior right of this corporation to use of the name in North Dakota

4. Complete mailing address of principal executive office which may not only be a post office box (Street/RR, and PO Box if applicable, city, state, zip + 4) **3605-11 Wilkens Avenue, Baltimore, MD 21229**

5.A. STATE or country where incorporated
Nevada

B. **EXACT** date incorporated (Month, day, AND year)
May 27, 2003

C. Duration of corporation
 Perpetual
 Other (Specify)

D. Telephone #

E. Toll-free telephone #

6.A. Name of required registered agent in NORTH DAKOTA (SEE INSTRUCTION 6.A.)
James P. Rausch

B. Federal ID/social security # of registered agent
501-64-1458

C. Address of registered agent in NORTH DAKOTA which may not only be a post office box number (Street/RR, and PO Box if applicable, city, state, zip + 4) **411 North Fourth Street, Bismarck, ND 58501**

7. Nature of business or activities the corporation intends to conduct in the State of North Dakota

To provide telecommunication services

8. **OFFICERS AND DIRECTORS OF THE CORPORATION**

OFFICE	Check box if officer also serves as director	NAME	COMPLETE MAILING ADDRESS			
			Street/RR	PO Box	City	State Zip + 4
PRESIDENT	<input checked="" type="checkbox"/>	C. Hurley Cox	3605-11 Wilkens Avenue, Baltimore, MD 21229			
VICE PRESIDENT	<input type="checkbox"/>	C. Hurley Cox	3605-11 Wilkens Avenue, Baltimore, MD 21229			
SECRETARY	<input type="checkbox"/>	C. Hurley Cox	3605-11 Wilkens Avenue, Baltimore, MD 21229			
TREASURER	<input type="checkbox"/>	C. Hurley Cox	3605-11 Wilkens Avenue, Baltimore, MD 21229			
DIRECTOR						

DIRECTOR

9. The undersigned, a person authorized by the corporation to sign this application, knows the contents thereof, and believes the statements made to be true.

James A. Curran
Original signature

8/29/03
Date

10. Name of person to contact about this application
James A. Curran

Daytime telephone #
215-633-8144



**REGISTERED AGENT
CONSENT TO SERVE**
SECRETARY OF STATE
SFN 13100A (7974 + 13100) (7-99)

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SEC. OF STATE

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ID #	19,721,100
File #	
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Filed	By
	10-1-03 NJS

SEE REVERSE SIDE FOR FILING AND MAILING INSTRUCTIONS

1. FILING FEE: \$10.00

TYPE OR PRINT LEGIBLY

2. Name of the organization for which the registered agent is to serve (corporation, limited liability company, limited liability partnership, limited partnership, limited liability limited partnership or real estate investment trust)

COMMUNICATIONS NETWORK BILLING, INC.

3. Name of the registered agent

James P. Rausch

4. Registered agent is (Check one)

- An individual North Dakota resident
- A corporation
- A limited liability company
- A limited liability partnership

5. Federal ID # or social security # of registered agent

501-64-1458

6. An individual appointed as registered agent must sign a consent to serve in that capacity. When a corporation, a limited liability company, or limited liability partnership is named as registered agent, an officer or someone authorized by the organization may sign on behalf of the corporation, limited liability company, or limited liability partnership.

"The undersigned, as the newly appointed registered agent, agrees to act as the registered agent for this organization until a change, or resignation, is submitted to the Secretary of State under the provisions of North Dakota law."


Original signature of registered agent

09/30/2003

Date