

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Public Service Commission
v. Pacific Telecom Communications Group, Inc.
Complaint

Case No. PU-12-750

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Cara DeSaye deposes and says that:

she is over the age of 18 years and not a party to this action, and, on the 19th day of **November, 2012**, she deposited in the United States Mail, at Bismarck, North Dakota, **one** envelope with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

Formal Complaint

The envelope was addressed as follows:

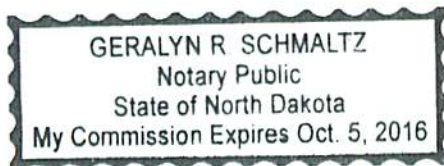
Steve Hamilton, CEO
Pacific Telecom Communications Group, Inc.
12228 Venice Boulevard, Suite 559
Los Angeles, CA 90066


Cert. No. 7012 1640 0002 4652 4516


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

Subscribed and sworn to before me
this 19th day of **November, 2012**.

SEAL







Notary Public

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Public Service Commission,

Case No. PU-12-750

Complainant,

vs.

Pacific Telecom Communications Group, Inc.

Respondent.

COMPLAINT

The North Dakota Public Service Commission Staff (Staff), for its complaint against Pacific Telecom Communications Group, Inc., alleges and shows the following:

I

Pacific Telecom Communications Group, Inc. (Pacific) is a California corporation with principle offices at 12228 Venice Boulevard, Suite 559, Los Angeles, CA 90066.

II

On December 15, 2009 Pacific completed a registration, using the Commission's electronic web-based form, to provide local services in Belfield, Bismarck, Casselton, Comstock, Dickinson, Emerado, Fairview, Fargo-West Fargo, Gardner, Grafton, Grand Forks, Hatton, Hillsboro, Jamestown, Kindred, Larimore, Leonard, Mayville, Minto, Mandan, Marvel, Northwood, Reynolds, Sabin MN, Sidney MT, Thompson, Valley City and Wahpeton exchanges of North Dakota. The registration must include identification of the applicant's authority to do business in North Dakota.

III

According to National Number Pool Administration website reports at www.nationalpooling.com/ , Pacific has acquired blocks telephone numbers in the Bismarck, Center, Dickinson, Emmet, Martin, Minot, and Spencer rate centers of North Dakota.

IV

On February 17, 2010 Steve Hamilton, CEO for Pacific, filed with the North Dakota Public Service Commission (Commission) a negotiated interconnection agreement between Pacific and Qwest Corporation (Qwest). The terms of the agreement allowed Pacific access to unbundled network elements, ancillary services, and telecommunications services available for resale where Qwest is providing local exchange service within North Dakota.

V

Pacific was granted a certificate of authority in Oregon on February 16, 2010. After failing to respond to two requests for their annual report by the Oregon Commission, the Oregon Commission cancelled Pacific's certificate of authority on August 3, 2012. (Please see attached Order).

VI

N.D.C.C. § 49-03.1-09(2)(g), if Pacific has its authority to provide service revoked, it has fifteen days to update this Commission of the date and jurisdiction of revocation. As of the date of this Complaint, no such information has been provided to the Commission by Pacific.

VII

N.D.C.C. § 49-03.1-09(4) allows the Commission to revoke a company's registration, after notice and hearing under chapter 28-32, for violation of any law, rule, or order the Commission.

VIII

N.D. Admin Code § 69-02-02-03(1) requires that an answer to this complaint must be served upon the Commission within twenty days after service of this complaint and notice of hearing or the Commission may deem the complaint to be admitted. Answers must be served in the manner allowed for service under the North Dakota Rules of Civil Procedure.


Prayer for Relief

Wherefore, Public Service Commission Staff seeks the following relief:

1. That the Commission find Pacific in violation of North Dakota Century Code Chapter 49-03.1 for failing to comply with the registration requirements outlined in North Dakota Century Code § 49-03.1-09(2)(g).

2. That the Commission revoke Pacific's registration.
3. Such other relief that the Commission finds just and proper.

Dated this 1st day of October 2012.



Mark Gruman (ID#06019)
Special Assistant Attorney General
Public Service Commission
State Capitol – 12th Floor
600 E Boulevard Ave – Dept 408
Bismarck, North Dakota 58505-0480
701-328-2400

Attorney for Public Service Commission Advocacy Staff