

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INVESTIGATION OF THE FAILURE	)	
OF CERTAIN NON-DOMINANT	)	
TELECOMMUNICATIONS PROVIDERS	)	CASE NO. 2017-00034
TO FILE REPORTS REQUIRED	)	
PURSUANT TO KRS 278.140	)	

ORDER

The Commission hereby serves notice upon certain non-dominant telecommunications providers who are registered to provide service in Kentucky, whose names and last-known addresses appear on the Appendix attached hereto, that they shall, within 30 days of the date of this Order, show cause why their authority to operate in this Commonwealth should not be revoked for failure to comply with KRS 278.140.

KRS 278.140 requires each utility to file, on or before March 31 of each year, a report of its gross earnings or receipts derived from intrastate business for the preceding calendar year. Based upon these reports, the Commission certifies to the Revenue Cabinet and the Finance and Administration Cabinet the intrastate revenue so collected.<sup>1</sup> The Revenue Cabinet then, for the purpose of maintaining the Commission, assesses each utility in proportion to its receipts for intrastate business for the preceding calendar year.<sup>2</sup> KRS 278.990(1) provides for penalties for failure to file the reports required by KRS 278.140.

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<sup>1</sup> KRS 278.150

<sup>2</sup> KRS 278.130

The utilities listed in the Appendix to this Order have not submitted their reports of gross earnings. Several carriers, as noted in the Appendix, have not submitted their reports for multiple calendar years. Accordingly, it appears that they are subject to the penalties enumerated in KRS 278.990(1). However, it is not clear that these carriers are actively providing service in the Commonwealth. By this Order the Commission is providing an alternative for carriers that have ceased providing service in Kentucky to have their authority to provide service be revoked rather than responding to the merits of this show cause proceeding and the possible assessment of penalties.

Telecommunications is competitive, and regulatory oversight of such carriers is minimal. The Commission no longer issues a certificate for initial operations of non-dominant telecommunications carriers.<sup>3</sup> Each carrier simply supplies necessary information regarding its corporate structure, and provides the name and address of its contact person for regulatory purposes.<sup>4</sup> Few carriers maintain an office in Kentucky and few are active in this state, despite their stated intent to do business here. Nevertheless the carriers are responsible for complying with statutory and regulatory requirements that continue to apply, including KRS 278.130 and KRS 278.140.

Based on the foregoing, the Commission concludes that the public interest would be served best by sending this Order, by certified mail, to the regulatory contact person submitted pursuant to KRS 278.542(2) by each of the utilities listed in the Appendix, putting each utility on notice that it must show cause to this Commission within 30 days from the date of this Order why it should not be subject to the penalties prescribed in

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<sup>3</sup> See KRS 278.541–544. See also PSC Administrative Case No. 359, *Exemptions for Interexchange Carriers, Long Distance Resellers, Operator Service Providers and Customer-Owned, Coin-Operated Telephones* (Ky. PSC June 21, 1996); PSC Administrative Case No. 370, *Exemptions for Providers of Local Exchange Service Other Than Incumbent Local Exchange Carriers* (Ky. PSC Jan. 8, 1998).

<sup>4</sup> KRS 278.542(2).

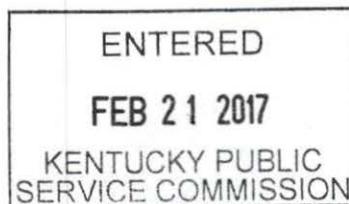
KRS 278.990(1) for failure to comply with KRS 278.140. In the absence of a timely response to this Order, each carrier's authorization to provide service in Kentucky will be revoked, its tariff, if it maintains one on file with the Commission, will be removed from the Commission's files, and its name will be stricken from the Commission's list of active utilities. At that time any customer it currently serves should be notified that the utility no longer provides service in Kentucky and that the customer must obtain service from another carrier.

IT IS THEREFORE ORDERED that:

1. Within 30 days of the date of this Order, each utility listed in the Appendix attached hereto and incorporated herein shall show cause, by written response, why it should not be subject to the penalties prescribed in KRS 278.990(1) for failure to comply with KRS 278.140.

2. In the absence of a timely written response, each utility's authorization to provide service shall be revoked, its tariff, if applicable, shall be removed from the Commission's files, and its name shall be stricken from the Commission's list of active utilities.

By the Commission



ATTEST:

  
Executive Director

## APPENDIX

### APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 2017-00034 DATED **FEB 21 2017**

Utility ID: 5174300

**ABA Net, LLC**

Jerry Flavin  
2400 Research Blvd, Suite  
210 Rockville, MD 20850

**Missing 2014 and 2015  
reports.**

Utility ID: 5145000

**Airnex Communications,  
Inc.**

Arnold Marasigan  
5000 Hopyard,  
Suite 240  
Pleasanton, CA 94577

**Missing 2015 report.**

Utility ID: 22205468

**American Broadband, Inc.  
d/b/a United Network  
Services**

Peter Robles  
3220 Keller Springs Rd. #108  
Carrollton, TX 75006

**Missing 2014 and 2015  
reports.**

Utility ID: 5179680

**Angel Americas, LLC**

Roland J. Bopp  
919 3rd Avenue,  
11th Floor  
New York, NY 10022

**Missing 2015 report.**

Utility ID: 5056760

**Beaver Telecom, LLC**

Rosanne Walton  
1509 McDuffie Street  
Houston, TX 77019

**Missing 2014 and 2015  
reports.**

Utility ID: 22205368

**C.M., Inc. d/b/a Carrier  
Marketing, Inc.**

George A Atkinson

1030 Oak Trace  
Evansville, IN 47725-7138

**Missing 2015 report.**

Utility ID: 5179780

**CereTel Incorporated**

Thomas M Lynch  
700 Melvin Ave., Suite 1  
Annapolis, MD 21401

**Missing 2015 report.**

Utility ID: 5121400

**Communication Options,  
Inc.**

Scott Halliday  
921 Eastwind Drive  
Suite 104  
Westerville, OH 43081

**Missing 2015 report.**

Utility ID: 4107100

**Fiatel Wireless d/b/a Zing  
PCS**

Adriana Solar  
9601 Worswick Court  
Wellington, FL 33414

**Missing 2015 report.**

Utility ID: 5151800

**Gateway Telecom, LLC  
d/b/a Stratus Wave  
Communications**

H. Rusty Irvin  
1025 Main St., Suite 900  
Wheeling, WV 26003

**Missing 2014 and 2015  
reports.**

Utility ID: 5054810

**IBFA Acquisition Company,  
LLC**

Baldwin Yung  
353 Sacramento Street  
Suite 1500  
San Francisco, CA 94111

**Missing 2013, 2014 and  
2015 reports.**

Utility ID: 5015200

**Image Access, Inc. d/b/a  
NewPhone**

Sanallah Abbasi  
7324 Southwest Freeway,  
Suite 475  
Houston, TX 77074

**Missing 2014 and 2015  
reports.**

Utility ID: 5179750

**LDC Group, LLC**

Esat Kabashi  
4 Expressway Plaza,  
Suite 210  
Roslyn Heights, NY 11577

**Missing 2015 report.**

Utility ID: 4107300

**Lycamobile USA, Inc.**

Abhay Kangle  
24 Commerce St., Suite 100  
Newark, NJ 07102

**Missing 2013, 2014, and  
2015 reports.**

Utility ID: 5056270

**NET TALK.COM, INC.**

Anastasios Kyriakides  
1100 NW 163rd Drive,  
Suite 3

North Miami Beach, FL  
33169

**Missing 2013, 2014, and  
2015 reports.**

Utility ID: 5136600

**New Century Telecom, Inc.**

Karyn Bartel  
3050 Royal Blvd South, #175  
Alpharetta, GA 30022

**Missing 2015 report.**

Utility ID: 4109450  
**Pix Wireless, LLC**  
Andrew Taber  
21346 Saint Andrews Blvd,  
Suite 225  
Boca Raton, FL 33433  
**Missing 2015 report.**

Utility ID: 4109100  
**Solavei, LLC**  
David W Van Ness  
10500 NE 8th Street,  
Suite 1300  
Bellevue, WA 98004  
**Missing 2014 and 2015  
reports.**

Utility ID: 5057400  
**Sunset Fiber, LLC**  
Ryan B Elswick  
333 Fraley Avenue  
Duffield, VA 24244  
**Missing 2015 report.**

Utility ID: 5100500  
**Telecare, Inc.**  
Jane A Roudebush  
444 Lafayette Road  
Noblesville, IN 46060  
**Missing 2014 and 2015  
reports.**

Utility ID: 4109950  
**The People's Operator  
USA, LLC**  
Beth Brandenstein  
c/o GSAssociates, LLC  
1595 Peachtree Pkwy,  
Suite 204-337  
Cumming, GA 30041  
**Missing 2015 report.**

Utility ID: 4103900  
**Total Call Mobile, Inc.**  
Hideki Kato  
1411 W 190th Street,  
Suite 700  
Gardena, CA 90248  
**Missing 2015 report.**

Utility ID: 5158800  
**Total Call Internation, Inc.  
d/b/a Amigos Telecom  
d/b/a Key Pad d/b/a  
International Alliance**  
Hideki Kato  
1411 W 190th Street,  
Suite 700  
Gardena, CA 90248  
**Missing 2014 and 2015  
reports.**

Utility ID: 5174000  
**TTUSA Acquisition, Inc.**  
Peter Cheung  
4345 E Lowell Street,  
Suite B Ontario, CA 91761  
**Missing 2014 and 2015  
reports.**

Utility ID: 5056840  
**Wild Telecommunications,  
Inc.**  
Terry Corbin  
220 Greenbriar Road  
Lexington, KY 40503  
**Missing 2015 report.**

Utility ID: 5170400  
**United American  
Technology, Inc.**  
Tom Anderson  
700 W 15th Street #1  
Edmond, OK 73013  
**Missing 2015 report.**

New Century Telecom, Inc.  
New Century Telecom, Inc.  
3050 Royal Blvd South, #175  
Alpharetta, GA 30022

\*Airnex Communications, Inc.  
Airnex Communications, Inc.  
5000 Hopyard, Suite 240  
Pleasanton, CA 94577

\*ABA Net, LLC  
ABA Net, LLC  
2400 Research Blvd, Suite 210  
Rockville, MD 20850

Telecare, Inc.  
Telecare, Inc.  
176 W Logan Street #232  
Noblesville, IN 46060

\*Flatel Wireless, Inc dba Zing PCS  
Flatel Wireless, Inc dba Zing PCS  
9601 Worswick Court  
Wellington, FL 33414

\*Total Call International, Inc. dba A dba Key Pad  
Total Call International, Inc. dba Amigos Telecom  
1411 W 190th Street, Suite 650  
Gardena, CA 90248-4376

Angel Americas, LLC  
Angel Americas, LLC  
919 3rd Avenue, 11th Floor  
New York, NY 10022

\*IBFA Acquisition Company, LLC  
IBFA Acquisition Company, LLC  
353 Sacramento Street  
Suite 1500  
San Francisco, CA 94111

\*Total Call Mobile, Inc.  
Total Call Mobile, Inc.  
1411 W 190th Street, Suite 650  
Gardena, CA 90248

TTUSA Acquisition, Inc.  
TTUSA Acquisition, Inc.  
4345 E Lowell Street, Suite B  
Ontario, CA 91761

\*C. M., Inc. d/b/a Carrier Marketing,  
C. M., Inc. d/b/a Carrier Marketing, Inc.  
1030 Oak Trace  
Evansville, IN 47725-7138

\*Gateway Telecom, LLC dba StratusWave  
Gateway Telecom, LLC dba StratusWave  
1025 Main Street, Suite 900  
Wheeling, WV 26003

NET TALK.COM, INC.  
NET TALK.COM, INC.  
1100 NW 163rd Drive, Suite 3  
North Miami Beach, FL 33169

\*United American Technology, Inc.  
United American Technology, Inc.  
700 W 15th Street #1  
Edmond, OK 73013

\*Lycamobile USA, Inc.  
Lycamobile USA, Inc.  
24 Commerce Street, Suite 100  
Newark, NJ 07102

American Broadband, Inc. dba United Network  
American Broadband, Inc. dba United Network  
3220 Keller Springs Road #108  
Carrollton, TX 75006

\*Image Access, Inc. dba NewPhone  
Image Access, Inc. dba NewPhone  
7324 Southwest Freeway, Suite 475  
Houston, TX 77074

\*Sunset Fiber, LLC  
Sunset Fiber, LLC  
333 Fraley Avenue  
Duffield, VA 24244

\*Pix Wireless, LLC  
Pix Wireless, LLC  
21346 Saint Andrews Blvd, Suite 225  
Boca Raton, FL 33433

\*The People's Operator USA, LLC  
The People's Operator USA, LLC  
915 Broadway, Suite 1306  
New York, NY 10010

\*Communication Options, Inc.  
Communication Options, Inc.  
921 Eastwind Drive  
Suite 104  
Westerville, OH 43081

\*Beaver Telecom, LLC  
Beaver Telecom, LLC  
1509 McDuffie Street  
Houston, TX 77019

\*LDC Group, LLC  
LDC Group, LLC  
4 Expressway Plaza, Suite 210  
Roslyn Heights, NY 11577

\*Solavei, LLC  
Solavei, LLC  
10500 NE 8th Street, Suite 1300  
Bellevue, WA 98004

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220 Greenbriar Road  
Lexington, KY 40503

\*CereTel Incorporated  
CereTel Incorporated  
700 Melvin Avenue, Suite 1  
Annapolis, MD 21401