



COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE

D.T.C. 11-AR-65

October 9, 2014

Investigation by the Department of Telecommunications and Cable on its own motion, pursuant to G.L. c. 159, §§ 12, 32, and 39, and G.L. c. 166, §§ 11 and 12, regarding the failure by individually-named common carriers of telecommunications services to file annual returns for calendar years 2005, 2006, 2007, 2008, and/or 2009.

---

ORDER ON REFERRAL FOR ENFORCEMENT

On June 3, 2013, the Massachusetts Department of Telecommunications and Cable (“Department”) found that PrimeTel Communications, Inc. (“PrimeTel”) had failed to file its 2008 and 2009 annual returns due to the Department as required pursuant to G.L. c. 159, § 32, and G.L. c. 166, § 11. *See* Order D.T.C. 11-AR-C at 1, 11. On August 1, 2014, the Department issued a Demand Letter to PrimeTel directing the company to submit its delinquent returns and associated filing fees to the Department. *See Annual Returns Investigation Demand Letter*, D.T.C. 11-AR (Aug. 1, 2014). The Department informed PrimeTel that it would refer the matter to the Attorney General for enforcement if the company did not comply by September 1, 2014. *Id.*

On September 3, 2014, PrimeTel submitted its delinquent returns, reporting \$0 in intrastate revenues and expenses for both 2008 and 2009. *See* PrimeTel 2008 and 2009 annual returns at 3. PrimeTel also submitted a certificate of withdrawal indicating that the company ceased doing business in the Commonwealth as of December 31, 2012.

Based on the documentation submitted by PrimeTel, the Department finds that PrimeTel is now in compliance with the Commonwealth's annual returns filing requirement. Further, statutory forfeitures do not apply as the company reported no revenues for the applicable calendar years. *See Delinquent annual returns for calendar years 2005, 2006, 2007, 2008, and/or 2009*, D.T.C. 11-AR, Order B (Jun. 3, 2013), at 6; *Delinquent annual returns for calendar year 2000*, D.T.E. 02-13, Order G (Sept. 20, 2002), at 3. Accordingly, the Department will not refer this case to the Attorney General for enforcement.

By Order of the Department,

  
Karen Charles Peterson, Commissioner

#### **RIGHT OF APPEAL**

Pursuant to G.L. c. 25, § 5, and G.L. c. 166A, § 2, an appeal as to matters of law from any final decision, order or ruling of the Department may be taken to the Supreme Judicial Court for the County of Suffolk by an aggrieved party in interest by the filing of a written petition asking that the Order of the Department be modified or set aside in whole or in part. Such petition for appeal shall be filed with the Secretary of the Department within twenty (20) days after the date of service of the decision, order or ruling of the Department, or within such further time as the Department may allow upon request filed prior to the expiration of the twenty (20) days after the date of service of said decision, order or ruling. Within ten (10) days after such petition has been filed, the appealing party shall enter the appeal in the Supreme Judicial Court for the County of Suffolk by filing a copy thereof with the Clerk of said Court.