



**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE**

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MEMORANDUM OF DISMISSAL

TO: Birch Communications, Inc. D.T.C. 11-AR-6
Grasshopper Group, LLC D.T.C. 11-AR-7
TVC Albany, Inc. D.T.C. 11-AR-16
Camp Overflow, LLC D.T.C. 11-AR-28
Sprint Spectrum, L.P. D.T.C. 11-AR-71

FROM: Kerri DeYoung Phillips, Counsel, Competition Division

RE: D.T.C. 11-AR

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

DATE: February 21, 2012

On December 2, 2011, the Department of Telecommunications and Cable issued its Notice of Investigation and Hearing ("Notice") in docket D.T.C. 11-AR, regarding the failure of several named telecommunications carriers to file annual returns for calendar years 2005, 2006, 2007, 2008, and/or 2009. The Notice directed affected companies to respond by February 10, 2012, with information, in part, on whether the company could produce the annual returns, whether the failure to file was reasonable, and whether the company provided telecommunications services within the Commonwealth during the relevant calendar years.

The following companies filed responses in compliance with the Notice:

Birch Communications, Inc. D.T.C. 11-AR-6
Grasshopper Group, LLC D.T.C. 11-AR-7
TVC Albany, Inc. D.T.C. 11-AR-16

Camp Overflow, LLC
Sprint Spectrum, L.P.

D.T.C. 11-AR-28
D.T.C. 11-AR-71

These companies provided documentation showing that (1) their annual returns listed as delinquent were timely filed; (2) although late-filed, they submitted their delinquent returns; or (3) they did not provide telecommunication services during the relevant calendar years.

Because the listed companies have complied with the Notice in this matter, the evidentiary hearings scheduled for dockets D.T.C. 11-AR-6, 11-AR-7, 11-AR-16, 11-AR-28, and 11-AR-71 are cancelled and those cases are dismissed.

/s/ Kerri DeYoung Phillips
Kerri DeYoung Phillips, Esq.
Hearing Officer