



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

D.T.C. 11-AR

December 2, 2011

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.

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**NOTICE OF INVESTIGATION AND HEARING**

The Department of Telecommunications and Cable (“Department”) has opened investigations into the failure by 129 common carriers of telecommunications services to file annual returns for calendar years 2005, 2006, 2007, 2008, and/or 2009. The Department will hold public and evidentiary hearings in this matter on **February 28, 2012**. The hearings will take place at:

10:00 a.m.  
1000 Washington Street  
Hearing Room 1-E  
Boston, MA 02118

All carriers identified in the Appendix attached hereto must attend the aforementioned evidentiary hearing and must, on or before **February 10, 2012**, provide the Department in writing with the following information:

1. State whether the company filed the annual return for the relevant calendar year(s) as noted in the Appendix. If so, provide a copy of the annual return(s) and documentation of the filing(s). If not, explain why, and state whether the failure to file is reasonable.
2. State whether the company provided telecommunications services within the Commonwealth during the relevant calendar year(s) as noted in the Appendix.
3. If applicable, state whether the Secretary of the Commonwealth has reinstated the company’s authority to do business within the Commonwealth.
4. If applicable, provide the current company address and contact information and provide an amended tariff and Statement of Business Operations reflecting that change.

Should any named carrier fail to attend the evidentiary hearing or timely provide the Department with the information specified above, the Department may make adverse findings of fact and order corrective action, including, but not limited to, a finding that the carrier neglected to file its annual return(s) and that the failure to file was unreasonable; assessment of forfeitures; and referral to the Attorney General for enforcement. The Department may also withdraw the carrier's registration and, where applicable, the intrastate tariff(s) that it has on file with the Department, thus preventing the carrier from operating and/or providing telecommunications services within the Commonwealth.

These proceedings have been docketed under the generic docket number, D.T.C. 11-AR, with a sequential number for each individual case, D.T.C. 11-AR-1 through D.T.C. 11-AR-129, and is a formal adjudicatory proceeding conducted under G. L. 30A and 801 C.M.R. § 1.00 *et seq.* of the Standard Adjudicatory Rules of Practice and Procedure.

Any person who otherwise desires to file written comments or participate in these proceedings must file an original and two copies of such written comments or petition for leave to intervene not later than 5:00 p.m. on **February 10, 2012**, with:

Catrice Williams, Secretary  
Department of Telecommunications and Cable  
1000 Washington Street, Suite 820  
Boston, MA 02118-6500

Filings must indicate a specific docket number, as found in the Appendix. A petition for leave to intervene must satisfy the timing and substantive requirements of 220 C.M.R. § 1.03. Receipt by the Department, not date of mailing, constitutes filing and determines whether a petition is timely filed. A petition filed late may be disallowed as untimely, unless good cause is shown for waiver under 220 C.M.R. § 1.01(4). To be allowed, a petition under 220 C.M.R. § 1.03(1) must satisfy the standing requirements of G. L. c. 30A, § 10. Any written comments or petitions for leave to intervene must be accompanied by signed and sworn affidavits.

In addition to filing, if possible, please submit all written pleadings or comments to the Department in electronic by e-mail attachment to [dtc.efiling@state.ma.us](mailto:dtc.efiling@state.ma.us), with copies to [Catrice.Williams@state.ma.us](mailto:Catrice.Williams@state.ma.us), [Ursula.Estremera@state.ma.us](mailto:Ursula.Estremera@state.ma.us), and [Kerri.DeYoung@state.ma.us](mailto:Kerri.DeYoung@state.ma.us). Documents submitted in electronic format will be posted on the Department's website at [www.mass.gov/dtc](http://www.mass.gov/dtc).

By Order of the Department

*/s/ Catrice C. Williams*  
Catrice C. Williams, Secretary