



COMMONWEALTH OF MASSACHUSETTS

Department of Telecommunications and Cable

1000 Washington Street, Suite 600, Boston, MA 02118
(617) 305-3580
www.mass.gov/dtc

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

MIKE KENNEALY
SECRETARY OF HOUSING AND
ECONOMIC DEVELOPMENT

ED PALLESCHI
UNDERSECRETARY

KAREN CHARLES PETERSON
COMMISSIONER

January 5, 2021

Mark P. Sutliff
Assistant Attorney General
Government Bureau, Trial Division
Office of the Attorney General
One Ashburton Place, Room 1813
Boston, MA 02108

Dear Assistant Attorney General Sutliff:

The Department of Telecommunications and Cable (“Department”) requests the assistance of the Office of the Attorney General (“OAG”) in enforcing the enclosed Final Order that the Department issued on November 4, 2020. The Department has found 13 telecommunications carriers¹ to be in violation of the statutory requirement to file an annual return with the Department. *See* G.L. c. 159, § 32; G.L. c. 166, § 11. The Department has imposed statutory forfeitures against these 13 carriers totaling \$303,900 as of October 31, 2020. *See* G.L. c. 166, § 12.

The Commonwealth requires telecommunications carriers to file annual returns with the Department for each calendar year. G.L. c. 159, § 32; G.L. c. 166, § 11. If a carrier “doing business in the [C]ommonwealth” fails to file an annual return by March 31 or at a later date fixed for good cause by the Department, the carrier is subject to statutory forfeitures. G.L. c. 166, §§ 11, 12. Upon finding that a carrier has failed to file an annual return, the Department is required by statute to refer the matter to the OAG for enforcement. *See* G.L. c. 159, § 39.

On December 20, 2019, the Department opened an investigation into 67 carriers’ failure to file annual returns for calendar years 2016 or 2017. As a result of its investigation, the

¹ The Department originally assessed forfeitures against 14 carriers, but the Department has since vacated the judgment against BT Communications Sales LLC after the company filed its delinquent 2017 annual return.

Department made adverse findings against 13 carriers named in Appendix Two to the enclosed Final Order. The Department determined that each of these 13 carriers failed to file its annual return(s) for the specified calendar year(s) in which it was doing business in the Commonwealth. The Department now refers its findings against these carriers to the OAG for enforcement in accordance with G.L. c. 159, § 39.

Thank you for your attention to this matter. If you have any questions regarding this referral or need any additional information, please contact me at William.Bendetson@mass.gov or (857) 408-5175.

Sincerely,

/s/ William Bendetson

William Bendetson
Hearing Officer

Enclosure

cc: Karen Charles Peterson, Commissioner
Sean M. Carroll, General Counsel
Timothy J. Reppucci, Assistant Attorney General