

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

February 21, 2013

IN RE:

**PETITION OF PAC-WEST TELECOMM, INC.
FOR CCN TO PROVIDE COMPETING LOCAL
TELECOMMUNICATIONS SERVICES AND TO
PROVIDE FACILITIES-BASED AND RESOLD
INTEREXCHANGE SERVICES IN TENNESSEE**

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**DOCKET NO.
05-00314**

**Company ID:
128688**

**ORDER REVOKING CERTIFICATE OF PUBLIC CONVENIENCE
AND NECESSITY FOR NON-PAYMENT OF FEES**

This matter came before Chairman James M. Allison, Vice Chairman Herbert H. Hilliard and Director Sara Kyle of the Tennessee Regulatory Authority (the “Authority” or “TRA”), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on February 13, 2013 to revoke the authority of Pac-West Telecomm, Inc. (the “Company”) to provide telecommunications services in Tennessee due to non-payment of its annual inspection fee pursuant to Tenn. Code Ann. § 65-4-301(a)(1) (2004).¹

The Company originally filed an Application for a Certificate of Public Convenience and Necessity to provide competing local telecommunications services, including exchange access services, and facilities-based and resold interexchange telecommunications services in Tennessee on November 21, 2005. During a Hearing held on January 10, 2006, the Hearing Officer found that the Company had met all the requirements for certification and the requirements of Tenn. Comp. R. &

¹ Tenn. Code Ann. § 65-4-301(a)(1) (2004) provides:

Every public utility doing business in this state and subject to the control and jurisdiction of the authority to which the provisions of this chapter apply, shall pay to the state of Tennessee on or before April 1 of each year, a fee for the inspection, control and supervision of the business, service and rates of such public utility.

Regs. 1220-4-2-.57, which was promulgated pursuant to, *inter alia*, Tenn. Code Ann. § 65-2-102 and Tenn. Code Ann. § 65-4-201, and approved the Application.

A notice advising the Company of its obligation to comply with the requirements of Tenn. Code Ann. § 65-4-301(a)(1) (2004) was mailed on February 10, 2012. On December 5, 2012, a Notice of Cancellation was mailed via certified mail. The Company failed to respond. As a result of that failure, this matter was placed on the February 13, 2013 Authority Conference for the Directors to consider revocation of the Company's authority to provide telecommunications services in Tennessee due to non-payment of fees.

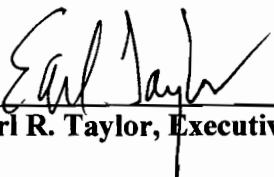
Based upon careful consideration of the record in this matter, the panel voted unanimously to revoke the Company's authority to provide telecommunications services in Tennessee.

IT IS THEREFORE ORDERED THAT:

As a result of the non-payment of fees, the authority granted to Pac-West Telecomm, Inc. to provide telecommunications services in Tennessee is revoked, and this docket is closed.

Chairman James M. Allison, Vice Chairman Herbert H. Hilliard and Director Sara Kyle concur.

ATTEST:



Earl R. Taylor, Executive Director