

## **FORMAL COMPLAINT - RELIEF REQUESTED**

The Minnesota Department of Commerce requests that the Commission investigate as appropriate the allegations and issue a decision as follows:

- 1) Requiring Charter to comply with Minn. Stat. Ch. 237 and provide intrastate services in accordance with its tariffs, price lists, contracts, and Commission rules and orders unless and until Charter demonstrates to the Commission that the services it is authorized to provide as a CLEC, including fixed, interconnected VoIP telephony are not subject to the Commission's jurisdiction.
- 2) Determining that Charter has knowingly and intentionally violated the provisions of Minnesota Rules and Minn. Stats. Ch. 237 and Commission Orders referenced in the Department Complaint, as well as Minn. Stats. §§ 237.09, 237.74 and 237.121(a)(3) and (b) and Minn. Rule 7812.2210 subpt. 9, and should be subject to enforcement as set forth in Minn. Stats. §§ 237.74 and 237.461, subd. 2, and should forfeit and pay to the state a penalty as set forth therein, in an amount to be determined by a court, of at least \$100 and up to \$5,000 for each day of each violation beginning on March 1, 2013 and continuing until the violations are rectified by Charter or are resolved by the Commission or a court of competent jurisdiction.
- 3) Find that Charter has intentionally violated the Commission's rules and applicable state laws relating to the provision of telephone or telecommunications services, for which act(s) the Commission has authority, if it chooses to exercise it, to order the revocation or temporary suspension, in whole or in part, the certificate of authority of the Charter Fiberlink companies, as is authorized under Minn. Stat. § 237.16.
- 4) Granting such other further relief as the Commission may deem just and reasonable.