

November 25, 2015

Daniel P. Wolf
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
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RE: **In the Matter of the Revocation of Telecare, Inc.'s Certificate of Authority,**
Docket No. P3113/RV-14-785, and
The Petition to Order Discontinuance of Service to Revoked Carriers and Carriers that
have Relinquished their Certificates of Authority,
Docket No. P999/M-14-979

I. BACKGROUND

On October 20, 2014, the Department of Commerce (Department) filed comments in Docket No. P3113/RV-14-785 recommending that the Minnesota Public Utilities Commission (Commission) revoke Telecare, Inc.'s (Telecare's) certificate of authority to provide interexchange telecommunications services in Minnesota.

On December 2, 2014, the Commission issued its order in Docket No. P3113/RV-14-785 approving the revocation of Telecare's certificate of authority.

On March 23, 2015, the Department filed comments in Docket No. P999/M-14-979 recommending that the Commission order all local exchange and interexchange carriers to discontinue service to a list of identified carriers so that the identified carriers could not provide Minnesota intrastate telecommunications services to end-user and wholesale customers.

On September 30, 2015, the Commission issued its order in Docket No. P999/M-14-979 requiring all local exchange and interexchange carriers to discontinue service arrangements for the carriers identified on the list of carriers included in the Department's March 23, 2015 comments. One of the carriers identified on that list was Telecare, Inc. (Telecare or the Company).

On November 6, 2015, the Department filed supplemental comments discussing the regulatory status of Telecare and recommending that the Commission take the following action: reinstate Telecare, Inc.'s certificate of authority initially approved in Docket No. P3113/NA-92-1372 and revoked in Docket No. P3113/RV-14-785, and direct carriers' service arrangements with Telecare, Inc. to not discontinue those service arrangements as previously ordered in Docket No. P999/M-14-979.

II. SUPPLEMENTAL COMMENTS

Although Telecare did not seek to have its certificate of authority revoked, by allowing its Secretary of State registration to lapse, by not submitting Minnesota Jurisdictional Annual Reports for 2013 and 2014, by not responding to attempts by the Department to reach the company and by not responding to the Commission's revocation proceeding in Docket No. 14-785, it appeared that Telecare was no longer operating in Minnesota. Thus, the Commission accepted the recommendation of the Department to revoke Telecare's certificate of authority. Technically, once the certificate of authority of Telecare was revoked, its operations in Minnesota were no longer in compliance with Minnesota's regulatory requirements. However, the Department does not recommend that the Commission pursue penalties against Telecare. Telecare did not seek to have its certificate of authority relinquished and has recently demonstrated its intentions to comply with Commission requirements as a provider of long distance telecommunications services. Its registration with the Minnesota Secretary of State was reinstated on October 15, 2015. On October 19, 2015, Telecare contacted the Department and requested that its service arrangements with CenturyLink not be discontinued after previously making the same request of CenturyLink. Further, Telecare's reported Minnesota intrastate revenues steadily declined from \$642 in 2006 to \$136.00 in 2012. Any penalty would need to be minimal and does not justify the administrative effort to pursue.

Reinstatement of Telecare's Minnesota certificate of authority should be conditioned upon Telecare's submission of a statement that it intends to comply with Minnesota laws, rules and orders on an on-going basis. Telecare's statement should confirm its regulatory contact and tariff. Telecare should also be required to submit 2013 and 2014 Jurisdictional Annual Reports.

The Department continues to recommend that the Commission: 1) reinstate Telecare's certificate of authority initially granted in Docket No. P3113/NA-92-1372 and subsequently revoked in Docket No. P3113/RV-14-785, and 2) remove Telecare from the list of companies to have their service arrangements discontinued as ordered in Docket No. P999/M-14-979. In addition, Telecare should be required to submit a statement that it intends to comply with Minnesota laws, rules and orders on an on-going basis. Telecare's statement should confirm its regulatory contact and tariff. Telecare should also be required to submit 2013 and 2014 Jurisdictional Annual Reports. Carriers with service arrangements with Telecare should be ordered to continue those service arrangements. The Department does not believe it is necessary to take enforcement action against Telecare regarding the current matter.

III. COMMISSION ALTERNATIVES

1. Reinstatement Telecare, Inc.'s certificate of authority initially approved in Docket No. P3113/NA-92-1372 and revoked in Docket No. P3113/RV-14-785, and direct carriers' service arrangements with Telecare, Inc. not discontinue those service arrangements as previously ordered in Docket No. P999/M-14-979. Telecare, Inc. is

required to submit a statement that it intends to comply with Minnesota laws, rules and orders on an on-going basis. Telecare's statement should confirm its regulatory contact and tariff. Telecare should also be required to submit 2013 and 2014 Jurisdictional Annual Reports. Carriers with service arrangements with Telecare should be ordered to continue those service arrangements.

2. Deny the Telecare, Inc.'s request to have its certificate reinstated and to be removed from the list of companies to have their underlying service arrangements discontinued as ordered in Docket No. P999/M-14-979
3. Such alternate action as the Commission deems appropriate.

IV. DEPARTMENT RECOMMENDATION

The Department recommends Alternative 1:

Reinstate Telecare, Inc.'s certificate of authority initially approved in Docket No. P3113/NA-92-1372 and revoked in Docket No. P3113/RV-14-785 and direct carriers' service arrangements with Telecare, Inc. not discontinue those service arrangements as previously ordered in Docket No. P999/M-14-979. Telecare, Inc. is required to submit a statement that it intends to comply with Minnesota laws, rules and orders on an on-going basis. Telecare's statement should confirm its regulatory contact and tariff. Telecare should also be required to submit 2013 and 2014 Jurisdictional Annual Reports. Carriers with service arrangements with Telecare should be ordered to continue those service arrangements.

/lt

CERTIFICATE OF SERVICE

I, Sharon Ferguson, hereby certify that I have this day, served copies of the following document on the attached list of persons by electronic filing, certified mail, e-mail, or by depositing a true and correct copy thereof properly enveloped with postage paid in the United States Mail at St. Paul, Minnesota.

**Minnesota Department of Commerce
Comments**

Docket No. P3113/RV-14-785 and P999/M-14-979

Dated this 30th day of November 2015

/s/Sharon Ferguson

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U13659

Hypercube Telecom, LLC
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U14007

IPC Network Services, Inc.
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U13903

Inmate Calling Solutions, LLC
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U6826

Intellectrace, Inc.
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U13668

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U12262

Ionex Communications North, Inc. dba Bir
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U10511

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Dwayne Johnson Sec/Treas
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U10545

Kasson & Mantorville Telephone Company
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U13482

LH Telecom, Inc.
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U13405

Level 3 Communications, LLC
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U6912

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U10724

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U13231

MCImetro Access Transmission Services L
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U13345

Mainstreet Communications, LLC
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U10647

Matrix Telecom, Inc.
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U10486

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U13306

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U6869

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U13458

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U13916

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U10642

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U12962

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U13543

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U13859

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U13605

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U10590

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U14037

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U12727

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U13873

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U12856

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U13655

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U6948

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U6859

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U13334

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U6870

Roman LD, Inc.
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U10855

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U10921

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U10796

Polar Communications Mutual Aid Corpor
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U6825

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U10706

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U10832

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U6864

Residential Long Distance, Inc.
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U10851

Rothsay Telephone Company
Wayne Stowman President
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U13174

SBC Long Distance, LLC
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U12819

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U10933

Sleepy Eye Telephone Company dba NU- T
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U13650

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U6875

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U10952

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U14068

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U13894

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U13905

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U10942

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U14065

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TNCI Operating Company LLC
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U13616

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U14049

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U11125

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U13975

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U14058

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U11106

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U13598

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U11113

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U13923

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