

REQUEST TO ESTABLISH DOCKET

(Please Type)

Date: 10/20/2006 **Docket No.:** 060699-11

1. Division Name/Staff Name: Division Of Competitive Markets & Enforcement/Isler

2. OPR: Division Of The Commission Clerk And Administrative Services

3. OCR: Office Of The General Counsel

4. Suggested Docket Title: Bankruptcy cancellation by Florida Public Service Commission of IXC Registration No. TI176, issued to GST Net, Inc., Effective October 20, 2006.

5. Suggested Docket Mailing List (attach separate sheet if necessary)

- A. Provide NAMES OR ACRONYMS ONLY if a regulated company.
- B. Provide COMPLETE NAME AND ADDRESS for all others. (Match representatives to companies.)

1. Parties and their representatives (if any):

2. Interested persons and their representatives (if any):

6. Check one:

- Documentation is attached.
- Documentation will be provided with recommendation.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

FLORIDA PUBLIC SERVICE COMMISSION
COMPLAINTS QUERY REPORT



Division	Customer Name	Case No.	Utility	Code	Date Rec'd	Type	On Time
RCA							
	JACK HAMEL & ASSOCIA	310430T	GST NET, INC.	TI176	03/15/2000	GI-08	T
Date Closed: 03/24/2000		Assigned Analyst: ELLEN PLENDL		Closed Analyst: ELLEN PLENDL			
Service/Billing: B		Savings: 0.00		How Received: PHONE		Preliminary Type: OTHER	
County: Sarasota		Customer Phone: (941)-926-3755		Sent To Company: Y		Apparent Rule Violation: N PSA: TELEPHONE	
RCA	Total Cases: 1			RCA	Total Savings: 0.00		
	Total Cases: 1				Total Savings: 0.00		

STATE OF FLORIDA

COMMISSIONERS:
BRAULIO L. BAEZ, CHAIRMAN
J. TERRY DEASON
LILA A. JABER
RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON



DIVISION OF COMPETITIVE MARKETS &
ENFORCEMENT
BETH W. SALAK
DIRECTOR
(850) 413-6600

Public Service Commission

July 14, 2004

Mr. Steven M. Yoder, Attorney
The Bayard Firm
222 Delaware Avenue
Wilmington, DE 19801

RE: GST Net, Inc. - Case No. 00-1982-GMS

Dear Mr. Yoder:

Our records show that GST Net, Inc. holds IXC Registration No. TI176 and that it filed for Chapter 11 bankruptcy protection on May 17, 2000. The 2001, 2002, and 2003 Regulatory Assessment Fees, including statutory penalty and interest charges and which are due annually by January 30th, have not been paid. It appears that these fees are not considered pre-petition debt. The Regulatory Assessment Fee continues to accrue until a registration is cancelled. For example, the 2004 fee will become due January 30, 2005.

I also researched the Florida Department of State, Division of Corporations' records and found that GST Net, Inc.'s status in Florida was revoked effective September 21, 2001, for not filing its annual report. This means that the company must have GST Net, Inc. reinstated with the Florida Department of State if it wishes to keep its IXC registration active.

If the company does not have need of its registration in Florida, it can write the Commission a letter and request cancellation of the registration due to the bankruptcy and ask us to write-off any unpaid fees. I would appreciate your review of this information and let me know the company's intention to continue to provide service in Florida by July 30, 2004.

Sincerely,

A handwritten signature in cursive script that reads "Paula J. Isler".

Paula J. Isler, Research Assistant
Bureau of Service Quality

TMS #1521

Florida Department of State, Division of Corporations

Corporations Online

www.sunbiz.org

Public Inquiry

Foreign Profit

GST NET, INC.

PRINCIPAL ADDRESS

4001 MAIN ST
VANCOUVER WA 98663 US
Changed 08/13/1998

MAILING ADDRESS

4001 MAIN ST
VANCOUVER WA 98663 US
Changed 08/13/1998

Document Number
F97000001874

FEI Number
911694180

Date Filed
03/24/1997

State
DE

Status
INACTIVE

Effective Date
NONE

Last Event
REVOKED FOR ANNUAL
REPORT

Event Date Filed
09/21/2001

Event Effective Date
NONE

Registered Agent

Name & Address

THE PRENTICE-HALL CORPORATION SYSTEM, INC.
1201 HAYS STREET
TALLAHASSEE FL 32301

Officer/Director Detail

Name & Address	Title
BASILE, JR. J 4317 NE THURSTON WAY VANCOUVER WA 98662	PCD
MAYHOOK, J. 4001 MAIN ST VANCOUVER WA 98663	S

TRAMPUSH, DANIEL 4001 MAIN ST VANCOUVER WA 98663	V
FERCHAT, ROBERT 4001 MAIN ST VANCOUVER WA 98663	D
ARMSTRON, JACK 4001 MAIN ST VANCOUVER WA 98663	D

Annual Reports

Report Year	Filed Date
1998	08/13/1998
1999	03/03/1999
2000	09/12/2000

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Document Images

Listed below are the images available for this filing

- [09/12/2000 -- ANN REP/UNIFORM BUS REP](#)
- [03/03/1999 -- ANNUAL REPORT](#)
- [08/13/1998 -- ANNUAL REPORT](#)

THIS IS NOT OFFICIAL RECORD; SEE DOCUMENTS IF QUESTION OR CONFLICT

[Corporations Inquiry](#)

[Corporations Help](#)

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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In the Matter of)
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)
GST Telecommunications, Inc. and its)
Subsidiaries)
)
)
Application for Authority to Discontinue)
the Provision of U.S. Domestic)
Telecommunications Service)

File No. _____

SECTION 63.71 APPLICATION

GST Telecommunications, Inc. and its subsidiaries¹ (together "GST") hereby request authority pursuant to Section 214(a) of the Communications Act of 1934, as amended (the "Act"), 47 U.S.C. § 214(a), and Section 63.71 of the Commission's Rules, 47 C.F.R. § 63.71, to discontinue the provision of certain U.S. domestic telecommunications services ("Application").

By way of background, on May 17, 2000, GST filed for protection under Chapter 11 of the U.S. Bankruptcy Laws in the U.S. District Court for the District of Delaware ("Bankruptcy Court"). GST received Bankruptcy Court approval to proceed with an open bidding procedure for the auction of substantially all of GST's assets. The auction was conducted between August

¹ GST Call America, Inc.; GST Net, Inc.; ICON Communications Corp.; KLP, Inc. d/b/a Call America Phoenix; TotalNet Communications, Inc.; GST Pacific Lightwave, Inc.; GST Telecom California, Inc.; GST Telecom Hawaii, Inc., GST Tuscon Lightwave, Inc.; GST Telecom New Mexico, Inc.; GST Telecom Texas, Inc.; GST Telecom Nevada, Inc.; GST Telecom Idaho, Inc.; GST Telecom Washington, Inc.; GST Net Arizona, Inc.; GST Telecom Oregon, Inc.; GST Telecom Arizona, Inc.; GST Net (AZ), Inc.; and GST Home, Inc.

- APP _____
- CAF _____
- CMP _____
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- LEG _____
- OPC _____
- PAI _____
- RGO _____
- SEC _____
- SER _____
- GTH _____

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FPC-COMMISSION CLERK

22 and 25, 2000, and Time Warner Telecom Inc.'s ("TWT") bid to acquire most of GST's assets was successful. On August 25, 2000, at the completion of the auction process, GST appeared before the Bankruptcy Court and received approval to proceed toward a sale of said assets to TWT. TWT acquired certain assets associated with GST's telecommunications operations, including telecommunications equipment, portions of GST's customer base, and federal and certain state certifications authorizing those operations.² However, TWT did not acquire all of GST's assets and customer accounts.

GST has subsequently sought buyers for its remaining assets, including customer accounts, not acquired by TWT. When buyers were found for some of the assets, or it was determined that no buyers would be forthcoming for other assets, GST has filed with the Federal Communications Commission ("FCC") the appropriate Section 63.71 application for discontinuance of service.³ GST has now reached the point where it has determined that there are no buyers for its few remaining assets and customer accounts. Therefore, during the last few months, GST has been contacting its remaining customers and, pursuant to the notice requirements of Section 63.71(a)(5)(i), notifying them that GST will be discontinuing their

² See *In re Section 63.71 Application of GST Telecommunications, Inc. and its Subsidiaries for Authority to Discontinue the Provision of U.S. Domestic Telecommunications Service* (File No. W-P-D-472) (DA 00-2693) (Released November 29, 2000).

³ See *In re Section 63.71 Application of GST Telecommunications, Inc. and its Subsidiaries for Authority to Discontinue the Provision of U.S. Domestic Telecommunications Service* (File No. W-P-D-484) (DA 01-569) (Released March 5, 2001); See *In re Section 63.71 Application of GST Telecommunications, Inc. and its Subsidiaries for Authority to Discontinue the Provision of U.S. Domestic Telecommunications Service* (File No. W-P-D-489)(DA 01-1061)(Released April 24, 2001); See *In re Section 63.71 Application of GST Telecom Hawaii, Inc. for Authority to Discontinue the Provision of U.S. Domestic Telecommunications Service*, filed May 22, 2001; and See *In re Section 63.71 Application of GST Telecommunications, Inc. and its Subsidiaries for Authority to Discontinue the Provision of U.S. Domestic Telecommunications Service*, anticipated to be filed by August 15, 2001 (relating to the sale of assets to Dancris Telecom LLC).

service within a minimum of 31-days, and that they may contact the FCC if they have any objections. To date, GST has been able to resolve its customers' concerns about finding an alternate service provider prior to discontinuing service.⁴ Accordingly, GST seeks authority to discontinue providing the following services: local, long distance, coded toll-free, calling card, frame relay and private line.

Due to GST's precarious financial position and significantly reduced labor resources, GST is no longer able to continue providing these services to its customers. In addition, GST no longer has access to most of the facilities it used to provide its services. TWT purchased virtually all of GST's facilities except for certain facilities located on Mare Island and in Hawaii. As part of the sale, TWT agreed to provide GST with continued access to the facilities for six months after the closing date of January 10, 2001. Because that date has past, absent an agreement with TWT to extend the underlying services, GST will not have continued access to the facilities. Therefore, GST respectfully requests that the Commission approve this Application as soon as possible.

⁴ The most notable customer concerns relate to the City of Vallejo's concern regarding the provision of local services on Mare Island, California. GST is actively working with these customers and the California Public Utilities Commission ("CPUC") to resolve their concerns, and will not terminate local service until approval is received by the CPUC. In addition, two frame relay customers have expressed their concerns to GST over the discontinuation of their interstate services and GST is coordinating with them to ensure that they have alternate service providers prior to their scheduled disconnection dates. No loss of service to either of the frame relay customers is anticipated.

GST provides the following information in support of this Application pursuant to Section 63.71 of the Commission's Rules.

I. SECTION 63.71(a) INFORMATION

(1) Name and address of carrier:

GST Telecommunications, Inc. and its Subsidiaries
9300 NE Oak View Drive
Suite A
Vancouver, Washington 98662

(2) Date of planned service discontinuance, reduction or impairment:

On or before August 6, 2001.

(3) Points of geographic areas affected:

Based upon the billing addresses maintained by GST, the following states are affected by this discontinuance application. For coded toll-free service, the states affected are Arizona, California, Florida, Hawaii, Idaho, Indiana, Iowa, Kansas, Louisiana, Massachusetts, Montana, Nevada, Oregon, Texas, and Washington. For long distance and frame relay service, the states affected are Arizona, California, Colorado, Connecticut, Hawaii, Idaho, Illinois, Missouri, Mississippi, Nebraska, New Mexico, Nevada, New York, Ohio, Oregon, Pennsylvania, Texas and Washington. For local service, the state affected is California. For private line service, the states affected are Arizona, California, Florida, Hawaii and Oregon. For calling card services, the states affected are Arizona, California, Hawaii, New Mexico, North Carolina, New York, Pennsylvania, and Utah.

(4) Brief description of type of service affected:

GST seeks authority to discontinue providing local service, frame relay and long distance service, coded toll-free service, calling card and private line service to all of its remaining customers.

II. NOTIFICATION REQUIREMENTS

GST has provided its affected customers notification letters. The letters have been distributed to all affected GST customers between March 20 and July 2, 2001. The letters provide the information required by Section 63.71(a) of the Commission's Rules, 47 C.F.R. § 63.71(a),

and identify which services GST will no longer provide. Copies of the letters are attached to this Application as Exhibit A.

GST certifies that concurrent with the filing of this Application, GST is submitting a copy of the Application to the public utility commissions and governors of the states listed above and to the Secretary of Defense as required by Section 63.71(a) of the Commission's Rules, 47 C.F.R. § 63.71(a). (See attached Certificate of Service.)

III. REGULATORY STATUS


GST is regulated as a non-dominant carrier with respect to each domestic telecommunications service for which it seeks authority to discontinue.

IV. CONCLUSION

For the foregoing reasons, GST respectfully requests, pursuant to Section 214(a) of the Act, 47 U.S.C. § 214(a), and Section 63.71 of the Commission's Rules, 47 C.F.R. § 63.71, that the Commission approve its Section 63.71 Application to discontinue the provision of U.S. domestic telecommunications service in the states referred in this Application.

Respectfully submitted,

GST TELECOMMUNICATIONS, INC. AND ITS SUBSIDIARIES

By: 

Troy F. Tanner
Maria L. Cattafesta
SWIDLER BERLIN SHEREFF FRIEDMAN, LLP
3000 K Street, N.W., Suite 300
Washington, DC 20007-5116
Telephone: (202) 424-7500
Facsimile: (202) 424-7645

Counsel for GST Telecommunications, Inc. and
its Subsidiaries

Dated: July 20, 2001

MCD Company Information for TI176

Printed on 10/02/2006 at 14:49:33 by PJI

Company Code: TI176
Complete Name: GST Net, Inc.
Mailing Name: GST Net, Inc.
Certificate No(s): N/A
Status: Active
Regulation Date: 11/17/1993
Bankruptcy: Yes
Company Liaison #1: Robert N. Brown
Title: Tariff Manager
Mailing Address: 9300 N.E. Oakview Drive, Suite A

Physical Location: Vancouver, WA 98662-6192
9300 N.E. Oakview Drive, Suite A

Phone: Vancouver, WA 98662-6192
(360) 892-6660 ext 118
Fax: (360) 892-0111

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Related Dockets:

- 930675-TI Application for certificate to provide interexchange telecommunications service by INTERNATIONAL TELEMANAGEMENT INC.
- 950957-TI Application for authority to transfer all of the issued and outstanding capital stock of International Telemanagement Group, Inc. to GSTNET, Inc.
- 961454-TI Request for approval of name change on Interexchange Telecommunications Certificate No. 3492 from International Telemanagement Group, Inc. to GST Net, Inc.
- 991512-TI Cancellation by Florida Public Service Commission of Interexchange Telecommunications Certificate No. 3492 issued to GST Net, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.