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## MEMORANDUM

**To:** Public Service Commission

**From:** Division of Public Utilities  
Thad Levar, Interim Director  
William Duncan, Manager Telecommunications  
Clair Oman, Technical Consultant  
Paul Anderson, Technical Consultant

**Date:** December 27, 2010

**Subject:** In the Matter of the Investigation of the Compliance of All American Telephone Company (AATCO) with Prior Commission Orders.

### ISSUE:

In the Report and Order dated April 26, 2010, in Docket No. 08-2469-01, the Commission revoked AATCO's certificate of public convenience and necessity, and ordered AATCO to cease operating in Utah within 30 calendar days. On July 6, 2010, in its Order on Application for Review and Rehearing and Request for Reconsideration, the Commission affirmed its April, 26, 2010, order. On Oct 26, 2010, the Commission directed the Division of Public Utilities (DPU) to investigate AATCO's compliance with the aforementioned orders.

### FINDINGS:

As directed by the Commission, the DPU commenced an investigation of the activities of AATCO in Utah. The DPU concentrated its investigation in three areas: number of access minutes routed to AATCO by Interexchange carriers, AATCO number utilization, and test calls.

## Interexchange Carrier Access Minutes

Data Requests have been sent to interexchange carriers (IXC) involved in this docket, to review minutes billed to IXC's by AATCO both before and after the April 26<sup>th</sup> Commission order. To date, only one response has been received. This report indicates that the minutes of use in September 2010, is approximately 1% of usage recorded in February, 2010. While the number of minutes billed by AATCO dropped substantially during this time period, there were still minutes billed after the July 6, 2010 order. This data response is attached as DPU confidential, *see* Utah Admin. R. 746-100-16, attachment 1. Upon receipt of the reports from the remaining carriers, the DPU will issue supplemental reports to the Commission.

## AATCO Number Utilization

In November 2010, the DPU requested from Neustar, the number groups assigned to AATCO, Inc. and found that there was one in Nevada and one in Utah. The Utah code was 435-777 and was assigned to AATCO at Garrison, Utah, a Beehive Telephone exchange on December 10, 2008. Currently, the Number Resource Utilization Forecast is 0% for this code and the code has been on the Utah reclamation list.

This number group is in the process of being reclaimed by Neustar, as requested by the Division, and will no longer be assigned to AATCO. The disconnect date is scheduled for February 18, 2011.

## Test Calls

Tests calls have been placed to a total of 131 numbers provided to the DPU by AATCO in response to a data requests in the 08-2469-01 docket. The numbers that the DPU tested were numbers originally used by AATCO, but are in fact numbers assigned to Beehive Telephone Co. according to the telcodata.us website.

Findings are that the numbers have not been deactivated by the North American Numbering Plan Administration System (NANP). Instead, the majority of the numbers go to

what seems to be an office intercept message that states that the number has been changed, and provides a new out-of-state number to call. When called, these out-of-state numbers appear to provide the same services that were being provided by AATCO in Utah. A summary of the findings of the test calls is provided below:

Results	Occurrences
Recording stating the number had been changed and providing a new number	85
Recording stating that the call did not go through	7
Recording stating that the call cannot be completed as dialed	4
Ring with no answer	5
Busy Signal	22
Other	7
Working	1
Total	131

The DPU did find one number still working. It was not for a free chat line, but required a credit card payment of \$9.99 for 15 minutes of chat.

The DPU will continue to make test calls to those numbers that did not refer callers to a new number, and report findings to the Commission as needed.

## Conclusion

Based on the above information, the DPU offers a preliminary opinion that AATCO has ceased all material operations in the state of Utah and is in compliance with the Commission order. The DPU will offer a final opinion after additional information is received.