

Senn, Nikki

From: Senn, Nikki
Sent: Thursday, May 13, 2010 10:44 AM
To: 'rafael.vanegas@netwolves.com'
Subject: Norstan Network Services, Inc. - 2009 MO PSC Annual Report - Deficiency

The Missouri Public Service Commission (Commission) has received your response to its deficiency notice regarding the **Norstan Network Services, Inc.** 2009 Annual Report. Commission Staff has reviewed the response and has determined it does not correctly address all deficiencies reported. Therefore, an additional response on behalf of the Company is required.

For your convenience, a copy of the original deficiency email has been attached which outlines the items that are required. **While items 2 and 4 were addressed, a response to item 3 has not been addressed or is inadequate.** A response for this/these item(s) is required in order to show your report as complete and remove it from deficiency status.

5. In addition to the original deficiencies, it was noted that a fictitious name has been added on the annual report form. The name now reflected on the form is Norstan Network Services, Inc. d/b/a Netwolves Network Services, Inc. This fictitious name has not been registered with the Missouri Secretary of State and a name change case has not been submitted through the Missouri Public Service Commission requesting approval of the new name. If the company is doing business or plans to do business under this new name, the proper procedures must be observed.

Additionally, concerning the registration of the fictitious name in use, Section 386.570 states that a utility that violates a rule of the Commission in which a penalty is not provided, such utility is subject to a penalty not less than one hundred dollars nor more than two thousand dollars for each offense. Each day's continuance of the violation shall be deemed to be a separate and distinct offense for the calculation of any penalty.

4 CSR 240-2.060 contains the provisions for an application requesting relief before the Commission. Particularly, section (5) of the rule contains the requirements for accomplishing a name change. Should you have any questions about this process, please do not hesitate to contact me at the information below.

You **must resubmit** the annual report with the appropriate changes and the reference number below in order for it to be properly entered into the system.

Your prompt attention to resolving this matter is appreciated. The original due date of **April 15th, is being extended to June 2, 2010** for this deficiency, therefore you must respond within this time frame. The Commission rule4 CSR 240-3.540 (4) states that a utility company which receives a notice that deficiencies exist in the information provided in the annual report shall respond to that notice within **20 days**, or the utility company is subject to a **penalty of \$100** for each day that it is late in filing its response to the deficiency.

The completed document/revision should be submitted electronically under EFIS (accessible from the Commission's Web page <http://www.psc.mo.gov/>) or mailed to:

Data Center
Missouri Public Service Commission
200 Madison Street, Suite 100, Jefferson City, MO 65101
(P.O. Box 360, Jefferson City, MO 65102-0360)

When contacting the Commission concerning your report, please reference the following identification number: **BMAR-2010-0568**.

Should you have any questions or need assistance in this process, please contact me.

A COMPANY RESPONSE TO THE ABOVE DEFICIENCIES IS REQUIRED.

Sincerely,
Nikki Senn
Utility Services Division
Missouri Public Service Commission
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(573) 526-4153 fax
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