

CHAPTER 26. SUBSTANTIVE RULES APPLICABLE TO TELECOMMUNICATIONS SERVICE PROVIDERS.

Subchapter E. CERTIFICATION, LICENSING AND REGISTRATION.

§26.107. Registration of Interexchange Carriers, Prepaid Calling Services Companies, and Other Nondominant Telecommunications Carriers.

- (a) **Application.** This section applies to the registration of persons and entities who provide intralata and interlata long distance telecommunications services, prepaid calling services companies pursuant to §26.34 of this title (relating to Telephone Prepaid Calling Services), and other telecommunications services that do not require certification as established in the Public Utility Regulatory Act (PURA), Chapter 54, Subchapter C; except as noted in PURA §51.002(10) (relating to Definitions).
- (b) **Purpose.** Through this section, the commission strives to identify, monitor, and protect the public interest against telecommunications entities providing uncertificated telecommunications services. The commission's overall goal is to encourage the development of a competitive marketplace for nondominant telecommunications services, free of unreasonable barriers to entry, that will provide consumers with the best services at the lowest cost.
- (c) Each nondominant carrier not holding a certificate of operating authority (COA) or service provider certificate of operating authority (SPCOA) shall file with the commission the information set forth in paragraphs (1)-(10) of this subsection within 30 days of commencing service in Texas. Each registered nondominant carrier shall keep this information updated and current at all times.
 - (1) Legal name and all assumed names under which the registrant conducts business. A registrant shall use only one name in which to provide telecommunications services to the public per registration;
 - (2) Address of the principal office and business office;
 - (3) Principal office and business office telephone number, fax number, website address, E-mail address, and toll-free customer service telephone number. (If the registrant has not obtained a toll-free customer service telephone number at the time of the registration, the registrant must commit to obtaining one before commencing business);
 - (4) Date service commences/commenced in Texas;
 - (5) Form of business (e.g., corporation, partnership, sole proprietorship), state in which business was formed, certification/authorization number, and date business was formed;
 - (6) Provide an organizational chart of the legal name of all affiliated companies that are public utilities or that are providing telecommunications services and the states in which they are providing service. Give a description of all affiliates and explain in detail the relationship between the registrant and its affiliates that operate in Texas;
 - (7) FCC Carrier Identification Code (CIC) or National Exchange Carriers Association (NECA) Operating Carrier Numbers (OCNs), if available;
 - (8) Name, addresses, phone numbers, and e-mail/website address, and office location of each director, officer, or partner (if applicable);
 - (9) Names, addresses, phone numbers, and e-mail/website address of the five largest shareholders (if applicable); and
 - (10) Name, address, telephone number, and e-mail/website address of authorized/registered agent who can be contacted by the commission.
- (d) By June 30 of each year, each nondominant carrier shall file with the commission an updated registration form or a letter informing the commission that no changes have occurred. An uncertificated nondominant carrier failing to file an updated registration form by June 30 may no longer be considered to be registered with the commission. A letter of notice will be sent requiring reporting

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compliance within ten working days or a hearing may be set to consider de-registration of the nondominant carrier.

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- (e) All nondominant carriers shall comply with the reporting requirements in §26.89 of this title (relating to Information Regarding Rates and Services of Nondominant Carriers).

- (f) **Compliance enforcement.**
 - (1) **Administrative penalties.** If the commission finds that a registrant has violated any provision of this section, the commission shall order the registrant to take corrective action, as necessary, and the registrant may be subject to administrative penalties and other enforcement actions pursuant to PURA, Chapter 15 and §22.246, of this title (relating to Administrative Penalties).
 - (2) **Revocation or suspension.** If the commission finds that a registrant is repeatedly in violation of PURA or commission rules, the commission may suspend or revoke a registration pursuant to PURA Chapter 17.
 - (3) **Enforcement.** The commission shall coordinate its enforcement efforts regarding the prosecution of fraudulent, misleading, deceptive, and anticompetitive business practices with the Office of the Attorney General in order to ensure consistent treatment of specific alleged violations.