

**CHAPTER 26. SUBSTANTIVE RULES APPLICABLE TO
TELECOMMUNICATIONS PROVIDERS.**

Subchapter E. CERTIFICATION, LICENSING AND REGISTRATION.

§26.114. Suspension or Revocation of Certificates of Operating Authority (COAs) and Service Provider Certificates of Operating Authority (SPCOAs).

- (a) **Scope and purpose.** This section addresses the suspension or revocation of COAs and SPCOAs. A COA or an SPCOA may be suspended or revoked by the commission after due process.
- (b) **Definitions.** The following words and terms when used in this section shall have the following meanings unless the context indicates otherwise:
 - (1) **Revocation** – The cessation of all telecommunications business operations in the state of Texas pursuant commission order.
 - (2) **Suspension** – The cessation of all telecommunications business operations in the state of Texas associated with adding new customers.
- (c) **Suspension and revocation.**
 - (1) The commission may initiate an investigation for suspension or revocation of a COA or SPCOA. Grounds for initiating an investigation that may result in the suspension or revocation may include, but not be limited to the following:
 - (A) Non-use of approved certificate for a period of 48 months, without re-qualification prior to the expiration of the 48-month period;
 - (B) Verified complaints reported to the commission or the Attorney General;
 - (C) Intentionally providing false information to the commission at the time of certification;
 - (D) Bankruptcy, insolvency, failure to meet financial obligations on a timely basis, except if reasonably disputed, or the inability to obtain the financial resources needed to provide adequate service;
 - (E) Repeated violation of the Public Utility Regulatory Act (PURA) or any commission rule or order applicable to the certificate holder;
 - (F) Violation of any state law applicable to the certificate holder that affects the certificate holders' ability to provide telecommunications services;
 - (G) Repeated failure to meet commission reporting requirements; or
 - (H) Repeated failure to meet reporting requirements pursuant to §26.465 of this title (relating to Methodology for Counting Access Lines and Reporting Requirements for Certificated Telecommunications Providers) and §26.467 of this title (relating to Rates, Allocation, Compensation, Adjustments and Reporting).
 - (2) Any certificate holder whose certificate is revoked or suspended by the commission shall comply with the standards for relinquishment in §26.113 of this title (relating to Amendment of Certificate of Operating Authority (COA) or Service Provider Certificate of Operating Authority (SPCOA)).