June 16, 2023

Karen Buckley, Executive Secretary
Public Service Commission
P. O. Box 812
Charleston, WV 25323

Re: Case No. 23-T-SC-X
DBI Networks, LLC
dba Clear Fiber

Dear Ms. Buckley:

Enclosed for filing please find the “Commission Staff's Show Cause Petition To Revoke Certificate” in the above-referenced proceeding. A copy has been served upon all parties of record.

Very truly yours,

/s/ Chris L. Howard
CHRIS L. HOWARD
Staff Attorney
WV State Bar I.D. No. 8688

CLH/jt
Enclosures
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CASE NO. 23-0502-T-SC-X

COMMISSION STAFF'S SHOW CAUSE PETITION TO REVOKE CERTIFICATE
Commission Staff (Staff), by the undersigned counsel, respectfully petitions the Commission to initiate Show Cause proceedings to revoke the Certificate of Convenience and Necessity (Certificate), along with the cancellation of the tariff previously granted to DBI Networks, LLC., dba ClearFiber, (hereinafter referred to as ClearFiber). In support of its petition, Staff states:

1. By recommended decision entered in Case No. 17-0227-T-CN, ClearFiber was granted a certificate to provide IXC/CLEC service in West Virginia.

2. As set forth in the attached Utilities Division Request for Initiation of a Show Cause proceeding prepared on June 15, 2023, ClearFiber’s contact information is no longer working and it has become impossible to contact it. It is not possible at this time to determine whether the utility remains in operation in West Virginia. ClearFiber’s authority to conduct business in West Virginia per the West Virginia Secretary of State’s office is notated with
the comment “not in compliance.” ClearFiber has failed to file its annual report with the Commission for the past three years.

For all the foregoing reasons, Staff requests that the Commission enter an order establishing a Show Cause proceeding against ClearFiber and directing ClearFiber to show cause why its Certificate should not be revoked. Upon entry of such order, Staff recommends that the Commission refer this proceeding to its Division of Administrative Law Judges. Staff further requests that the Commission grant such further legal and equitable relief as it deems reasonable.

Respectfully submitted this 16th day of June 2023.

STAFF OF THE PUBLIC SERVICE COMMISSION OF WEST VIRGINIA

/s/ Chris L. Howard
CHRIS L. HOWARD, Staff Attorney
WV State Bar #8688
CASE NO. 23-0502-T-SC-X

UTILITIES DIVISION RECOMMENDATION
PUBLIC SERVICE COMMISSION OF WEST VIRGINIA
UTILITIES DIVISION RECOMMENDATION

FROM: Steve Wilson, Utilities Analyst
Utilities Division

DATE: June 15, 2023

SUBJECT: Cancellation of Certificate Issued in Case No. 17-0227-T-CN.
Staff request to cancel certificate of DBI Networks, LLC,
doing business as ClearFiber.

The certificate of authority to conduct business in the State of West Virginia issued DBI Networks, LLC by the West Virginia Secretary of State shows an effective date of June 7, 2016. The doing business addition of ClearFiber to DBI Networks, LLC shows an effective date of September 14, 2016. The entity on the Secretary of State's webpage contains the notation "not in compliance" as of this date.

The Public Service Commission of West Virginia "(Commission") shows that the entity DBI Networks LLC, doing business as ClearFiber has IXC/CLEC authority beginning on September 10, 2017. As a CLEC operator in West Virginia, the entity is required to file an Annual Report detailing CLEC operations. If there are no operations, the report is still to be filed.

No Annual Report has been filed with the Commission for the last three calendar years. Staff attempted to contact the business using the toll-free number on file with the Commission and there was no answer.

Staff recommends that the Certificate of Convenience and Necessity granted to DBI Networks, LLC, doing business as ClearFiber, be cancelled.

SW:sw
CERTIFICATE OF SERVICE

CASE NO. 23-0502-T-SC-X
PUBLIC SERVICE COMMISSION
WEST VIRGINIA
CHARLESTON

CASE NO. 23-TSC-X
DBI Networks, LLC dba ClearFiber

CERTIFICATE OF SERVICE

I, CHRIS L. HOWARD, Staff Counsel for the Public Service Commission of West Virginia, hereby certify that I have served a copy of the foregoing Commission Staff’s Show Cause Petition to Revoke Certificate upon all parties of record by First Class United States Mail, postage prepaid this 16th day of June 2023.

Chad Henson
Owner/Manager
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/s/ Chris L. Howard
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