



August 15, 2019

New Hampshire Public Utilities Commission
 21 S. Fruit St, Suite 10
 Concord, NH 03301-2429

RECEIVED

AUG 21 2019

NH PUBLIC
 UTILITIES COMMISSION

Re: Clear Rate Communications Inc.'s Request for Waiver of Expenses Assessed Pursuant to Chapter 363-A

Dear Commissioners:

Clear Rate Communications, Inc. ("Clear Rate") writes this letter to request a waiver of expenses assessed pursuant to Chapter 363-A. Clear Rate is a telecommunications provider in numerous states throughout the United States. New Hampshire is a state where we do not regularly transact business, and only provide services that are incidental to providing services to customers in other states. We have been advised by Commission staff that the regulation cited above will be used as support to make us responsible for expenses in an amount no less than \$1,000.00, which considering the amount of revenue generated, is excessive, and Clear Rate is requesting a waiver of the assessment. Clear Rate's basis for the request is that Clear Rate is exempt under 362:7:II as a VOIP provider, as well as, the revenue generated is de minimus, and any payment of fees is excessive, and is a barrier to competition or market entry.

In the instant case, there is one customer we service who has multiple locations throughout the country. The services provided to this customer in New Hampshire are not facilities based, and only include seat licenses for VOIP phones, Direct-Inward-Dialing (DID) numbers, and fax to email services. The amount of revenue generated from said customer for services provided in New Hampshire is less than \$2,000 annually. Having to pay a minimum \$1,000.00 assessment for expenses is approximately 50% of the gross revenues generated from the services that are being provided. This excessive amount is unduly burdensome as an excessive fee, and has the effect of a force regulating market entry which is prohibited by Section 362:7:II

If the Commission feels this matter warrants further discussion, I can always make myself available for the Commission and welcome any dialogue to resolve this matter. I can be reached by email at jortwine@clearrate.com or by phone at (248) 556 – 9525.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jeffery Ortwine", written over a white background.

Jeffery Ortwine

Assessment Invoice

August 8, 2019

New Hampshire Public Utilities Commission

Business Office
21 S. Fruit St. Suite 10
Concord, NH 03301

Sam Namy
Clear Rate Communications, Inc
2600 W Big Beaver Road
Ste 450
Troy, MI 48084

Assessment for Fiscal Year 2020

July 1, 2019 - June 30, 2020

\$999.00

Payable as follows:

<u>Assessment Date</u>	<u>Assessment Amount</u>	<u>Payment Rec.'d</u>	<u>Amount Due</u>
Prior Unpaid Assessment	\$0.00	\$0.00	\$0.00
08/15/2019 *	\$249.00	\$0.00	\$249.00
10/15/2019	\$250.00	\$0.00	\$250.00
01/15/2020	\$250.00	\$0.00	\$250.00
04/15/2020	\$250.00	\$0.00	\$250.00
			<hr/>
			\$999.00

Checks must be payable to the **State of New Hampshire** and should be sent along with a copy of this invoice to the address indicated above. Payment may be made in full or quarterly. Any questions regarding this assessment should be directed to the Business Office by calling 603-271-2431.

For more information, visit our website at www.puc.nh.gov/Home/AboutUs/AssessmentBooklets.htm

Pursuant to RSA 363-A:4, the Public Utilities Commission may add a late penalty fee to the utility assessment. If payment is not made within 30 days from the receipt of this bill, you may be liable for interest charges of 1% (12% per annum).

* An adjustment to the first quarter assessment may have been made to adjust for prior year revenue and expense variations from budget.