



DT 18-185

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

NHPUC 12DEC18AM9:44

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 \$2,500 annually. Having to pay a minimum \$1,000.00 assessment for expenses is approximately 45% 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 [bshamoun@clearrate.com](mailto:bshamoun@clearrate.com) or by phone at (248) 556 – 9522.

Very truly yours,

A handwritten signature in blue ink, appearing to read "B. Shamoun", is written over a light blue horizontal line.

Brandon Shamoun