

NEW YORK STATE COMMISSION ON PUBLIC INTEGRITY
540 Broadway
Albany, New York 12207
(518) 474-1559

In the Matter of PhoenixOne Communications LLC

DECISION
and
NOTICE OF CIVIL ASSESSMENT

Respondent

Failure to Timely File a 2008 July/December
Client Semi-Annual Report

A Notice of Hearing was issued on November 17, 2009 and duly served on Respondent, PhoenixOne Communications LLC ("Respondent"). A hearing was held on December 22, 2009. The Hearing Officer issued written findings of fact and a recommendation on January 19, 2010, which were duly served on Respondent. Respondent was provided a ten-day period within which to respond in writing to the Hearing Officer's findings of fact and Recommendation. Respondent did not submit any such response.

At its April 8, 2010 meeting, the New York State Commission on Public Integrity ("Commission") considered the hearing officer's findings of fact and recommendation in the above-captioned matter.

The Commission affirmed the hearing officer's finding that Respondent knowingly and wilfully failed to timely file the 2008 July/December Client Semi-Annual Report and directed that Respondent be assessed a civil penalty in the amount of \$800 if it properly completes the Report and returns it to the Commission (30) days of receipt of service of the Decision; or Respondent be assessed a civil penalty in the amount of \$1200 if it properly completes the Report and returns it to the Commission on or after thirty-one (31) days of receipt of the Decision.

Michael G. Cherkasky, Chairman
Virginia M. Apuzzo
John M. Brickman
Andrew G. Celli, Jr.
Richard D. Emery
Steven C. Krane
John T. Mitchell
Joseph A. Spinelli

DATED: April 8, 2010