

ORBITCOM Inc.

Local - Long Distance Communications

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SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

June 14, 2007

Patti VanGerpen, Executive Director
South Dakota Public Utilities Commission
500 East Capitol Avenue
Pierre, South Dakota 57501

Ms. VanGerpen,

Please assign a docket number to this Complaint by OrbitCom, Inc. ("OrbitCom") against Global Crossing Telecommunications, Inc. ("Global Crossing"). You will find enclosed herein for filing the original plus ten copies of the Complaint.

Feel free to contact me at 605-977-6900 for any questions regarding this Complaint.

Respectfully,

Matthew J. Meert

Matthew J. Meert
Director, VoIP & Network Services
OrbitCom, Inc

CC: Global Crossing
Sage Management – Scott Johnson

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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

IN THE MATTER OF THE COMPLAINT OF
ORBITCOM, INC AGAINST GLOBAL
CROSSING TELECOMMUNICATIONS, INC.

DOCKET NUMBER _____
COMPLAINT

OrbitCom, Inc. ("OrbitCom") hereby submits this Complaint against Global Crossings Telecommunications, Inc. ("Global Crossing") for failure to pay invoices submitted to them, by OrbitCom, for providing switched access services. The following is a breakdown of Global Crossing account status with OrbitCom. Global Crossings is currently 120 days past due on sixteen accounts, 150 days past due on two accounts, and 180 days past due on one account. This is a complaint pursuant to ARSD 20:10:01:07.01.

1. OrbitCom is a Competitive Local Exchange Carrier (CLEC) with its administrative headquarters located at 1701 N. Louise Ave, Sioux Falls, South Dakota 57107.
2. OrbitCom provides local and long distance phone services along with switched access services for Interexchange Carriers (IXC). The switched access services allow IXC to terminate long distance traffic for their customers.
3. Global Crossing is an IXC that OrbitCom provides switched access services so they may terminate their customers long distance calls.
4. Global Crossing did not agree with the rate that OrbitCom was charging them to terminate their long distance traffic, so Global Crossing (represented by Sage Management) filed a dispute with OrbitCom on May 9th, 2007. This dispute was 56 months in arrears.
5. OrbitCom denied the 56 month dispute, but was willing to credit Global Crossing back 90 days.
6. OrbitCom and Sage Management, along with Global Crossing representatives, conducted a few conference calls to try to come to an agreement on how to resolve the dispute, and requested Global Crossing to submit a contract to OrbitCom with a "going forward rate."

7. At the conclusion of the last conference call between OrbitCom, Global Crossing, and Sage Management, on April 5th, 2007, the 56 month dispute was still denied and Global Crossing was going to escalate the dispute to their legal counsel.

8. In an email to Penny Petersen, OrbitCom's Management of Information Systems, Scott Johnson stated, "Our next steps are to short pay and escalation to Global Crossing and Orbitcom legal if the claim is still outstanding by the end of our call."

9. Since the aforementioned conference call on April 5th, OrbitCom has not heard from Global Crossing's legal counsel, and they have not made payment on any invoices from OrbitCom (See Appendix A).

9. Short payment is not an option for resolution of Global Crossing's dispute.

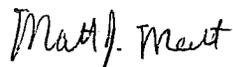
10. The amount due OrbitCom from Global Crossing totals \$322,657.64. If Global Crossing feels that this amount is incorrect they still must pay the undisputed portion of these charges.

11. OrbitCom sent a letter to Global Crossing on May 4th, 2007 notifying them of their outstanding balance, however, OrbitCom has yet to receive payment from Global Crossing.

12. OrbitCom would like Global Crossing to pay for the switched access services they received from OrbitCom in the amount of \$322,657.64. If Global Crossing does not agree with the rate OrbitCom is charging for switched access services, OrbitCom would like to negotiate a "going forward rate" with Global Crossing in order to maintain the business relationship.

DATED this 14th day of June 2007.

Respectfully,



Matthew J. Meert
Director, VoIP & Network Services
OrbitCom, Inc

