



ORBITCOM Inc.

Local - Long Distance Communications

February 4th, 2008

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,

Matt J. Meert

Matthew J. Meert
Director, Voice & Data Services
OrbitCom, Inc

CC: William Van Camp

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA

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. 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 had not heard from Global Crossing's legal counsel, nor had Global Crossing made payments on any invoices from OrbitCom.

10. Due to the lack of response from Global Crossing and the fact that they were not paying for interstate or intrastate usage, we filed a complaint against them to the SD PUC on June 14th, 2007 to obtain payment on intrastate usage (TC 07-079).

11. As a result of that complaint, OrbitCom received payment from Global Crossing for their intrastate charges on July 12, 2007, and we withdrew our complaint against them.

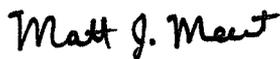
12. Since that payment on July 12, 2007, Global Crossing has not been paying the balance of their invoices.

13. The amount due OrbitCom from Global Crossing totals \$283,121.33. As you will see in the attached exhibit, \$227,042.76 of the \$283,121.33 owed to OrbitCom is for intrastate usage.

14. OrbitCom would like Global Crossing to pay for the switched access services they received from OrbitCom. 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 4th day of February 2008.

Respectfully,



Matthew J. Meert
Director, Voice & Data Services
OrbitCom, Inc

Exhibit A

<u>Account Name</u>	<u>Account Code</u>	<u>Jurisdiction</u>	<u>Amount</u>	
GLOBAL CROSSING	377CCD0444	Interstate	\$645.13	
		Intrastate	\$200.09	\$845.22
GLOBAL CROSSING	8080SD0444	Interstate	\$5,908.19	
		Intrastate	\$105,984.07	\$111,892.26
GLOBAL CROSSING	8080SDGLOB	Interstate	\$107.80	
		Intrastate	\$237.77	\$345.57
GLOBAL CROSSING	910AID0444	Interstate	\$10,917.80	
		Intrastate	\$4,765.59	\$15,683.39
GLOBAL CROSSING	910AIDGLOB	Interstate	\$46.21	
		Intrastate	\$114.84	\$161.05
GLOBAL CROSSING	911AMD0322	Interstate	\$2.93	
		Intrastate	\$0.00	\$2.93
GLOBAL CROSSING	911AMD0444	Interstate	\$791.02	
		Intrastate	\$1,506.94	\$2,297.96
GLOBAL CROSSING	911AMDGLOB	Interstate	\$2.78	
		Intrastate	\$1.22	\$4.00
GLOBAL CROSSING	912AOD0400	Interstate	\$1.84	
		Intrastate	\$1.13	\$2.97
GLOBAL CROSSING	912AOD0444	Interstate	\$453.78	
		Intrastate	\$1,220.97	\$1,674.75
GLOBAL CROSSING	913AED0244	Interstate	\$0.00	
		Intrastate	\$5.01	\$5.01
GLOBAL CROSSING	913AED0444	Interstate	\$26,662.89	
		Intrastate	\$20,920.75	\$47,583.64
GLOBAL CROSSING	913AEDGLOB	Interstate	\$11.81	
		Intrastate	\$41.69	\$53.50
GLOBAL CROSSING	914AND0444	Interstate	\$4,979.06	
		Intrastate	\$43,534.92	\$48,513.98
GLOBAL CROSSING	914ANDGLOB	Interstate	\$3.72	
		Intrastate	\$2.58	\$6.30
GLOBAL CROSSING	915AWD0244	Interstate	\$6.12	
		Intrastate	\$46.76	\$52.88
GLOBAL CROSSING	915AWD0444	Interstate	\$5,152.70	
		Intrastate	\$48,261.12	\$53,413.82
GLOBAL CROSSING	915AWDGLOB	Interstate	\$71.56	
		Intrastate	\$53.53	\$125.09
GLOBAL CROSSING	955DXD0444	Interstate	\$313.23	
		Intrastate	\$143.78	\$457.01

Interstate Total	\$56,078.57
Intrastate Total	\$227,042.76
Grand Total	\$283,121.33