

ORIGINAL

Michael T. Hallam  
40 North Central Avenue, 19th Floor  
Phoenix, Arizona 85004-4149



0000138578

RECEIVED

1) 262-5340

2) 734-3886

MHallam@LRLaw.com

Admitted in: Arizona

2012 AUG 14 P 4:47

Our File Number: 53592-00001

AZ CORP COMMISSION  
DOCKET CONTROL

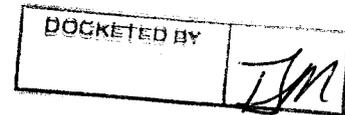
August 14, 2012

**Via Hand-Delivery**

Docket Control  
Arizona Corporation Commission  
1200 W. Washington Street  
Phoenix, Arizona 85007

Arizona Corporation Commission  
DOCKETED

AUG 14 2012



Re: Onvoy, Inc.  
Application for Approval of Certificate of Convenience and Necessity to Provide  
Intrastate Telecommunication Services  
Docket No. T-20842A-12-0116

Docket Control:

Through this letter, Onvoy, Inc. ("Onvoy") amends its application as set forth in the attached application pages. These pages contain revised responses to questions A-1, A-2, A-3, A-14, A-21 and D-1, which remove Onvoy's request for authority for facilities-based and resold long distance service and which note Onvoy's use of a dba in Arizona. Onvoy has also updated the response to question A-18 to provide the most current status of applications/certifications in other states.

Very truly yours,

Michael T. Hallam

MTH/jw

ARIZONA CORPORATION COMMISSION

Application and Petition for Certificate of Convenience and Necessity to Provide Intradate Telecommunications Services

Mail original plus 13 copies of completed application to: For Docket Control Only: (Please Stamp Here)

DocketControlCenter
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona85007-2927

Please indicate if you have current applications pending in Arizona as an Interexchange reseller, AOS provider, or as the provider of other telecommunication services.

Type of Service: \_\_\_\_\_

Docket No.: \_\_\_\_\_ Date: \_\_\_\_\_ Date Docketed: \_\_\_\_\_

Type of Service: \_\_\_\_\_

Docket No.: \_\_\_\_\_ Date: \_\_\_\_\_ Date Docketed: \_\_\_\_\_

A. COMPANY AND TELECOMMUNICATION SERVICE INFORMATION

(A-1) Please indicate the type of telecommunications services that you want to provide in Arizona and mark the appropriate box(s).

- Resold Long Distance Telecommunications Services (Answer Sections A, B).
Resold Local Exchange Telecommunications Services (Answer Sections A, B, C).
Facilities-Based Long Distance Telecommunications Services (Answer Sections A, B, D).
Facilities-Based Local Exchange Telecommunications Services (Answer Sections A, B, C, D, E)
Alternative Operator Services Telecommunications Services (Answer Sections A, B)
Other Resold and Facilities-Based IntraLATA and InterLATA Private Line Services (Please attach complete description)

(A-2) The name, address, telephone number (including area code), facsimile number (including area code), e-mail address, and World Wide Web address (if one is available for consumer access) of the Applicant:

Onvoy, Inc. d/b/a Onvoy Voice Services
300 South Highway 169, Suite 700
Minneapolis, MN55426-1137
763-230-2036 (Tel)
952-230-4200 (Fax)
www.onvoy.com

(A-3) The d/b/a ("Doing Business As") name if the Applicant is doing business under a name different from that listed in Item (A-2):

**Onvoy will do business in Arizona as "Onvoy Voice Services." Onvoy uses this assumed name in other states as well.**

(A-4) The name, address, telephone number (including area code), facsimile number (including area code), and E-mail address of the Applicant's Management Contact:

**Scott Sawyer, General Counsel  
Onvoy  
300 South Highway 169, Suite 700  
Minneapolis, MN55426-1137  
952-230-4660 (Tel)  
952-230-4300 (Fax)  
scott.sawyer@onvoy.com**

(A-5) The name, address, telephone number (including area code), facsimile number (including area code), and E-mail address of the Applicant's Attorney and/or Consultant:

**Jean L. Kiddoo  
Brett P. Ferenchak  
Bingham McCutchen LLP  
2020 K Street N.W.  
Washington, DC 20006  
Phone: (202)373-6697  
Fax: (202)373-6001  
jean.kiddoo@bingham.com  
brett.ferenchak@bingham.com**

(A-6) The name, address, telephone number (including area code), facsimile number (including area code), and E-mail address of the Applicant's Complaint Contact Person:

**Scott Sawyer, General Counsel  
Onvoy  
300 South Highway 169, Suite 700  
Minneapolis, MN55426-1137  
952-230-4660 (Tel)  
952-230-4300 (Fax)  
scott.sawyer@onvoy.com**

(A-13) Indicate if the Applicant's customers will be able to access alternative toll service providers or resellers via 1+101XXXX access.

Yes  No

**To the extent Applicant provides basic local exchange services, Applicant's customers will be able to access alternative toll service providers or resellers via 1+101XXXX access.**

(A-14) Is Applicant willing to post a Performance Bond? Please check appropriate box(s).

For Long Distance Resellers, a \$10,000 bond will be recommended for those resellers who collect advances, prepayments or deposits.

Yes  No

If "No", continue to question (A-15).

For Local Exchange Resellers, a \$25,000 bond will be recommended.

Yes  No

If "No", continue to question (A-15).

For Facilities-Based Providers of Long Distance, a \$100,000 bond will be recommended.

Yes  No

If "No", continue to question (A-15).

For Facilities-Based Providers of Local Exchange, a \$100,000 bond will be recommended.

Yes  No

If any box in (A-14) is marked "No", continue to question (A-15).

Note: Amounts are cumulative if the Applicant is applying for more than onetype of service.

**While Applicant is willing to post a Performance Bond, Applicant does not believe that a bond should be required because Applicant does not intend to provide telecommunications services to residential customers. Instead, Applicant will provide telecommunications services to enterprise and carrier customers.**

(A-15) If any box in (A-14) is marked "No", provide the following information. Clarify and explain the Applicant's deposit policy (reference by tariff page number). Provide a detailed explanation of why the Applicant's superior financial position limits any risk to Arizona consumers.

**Applicant's deposit policy can be found on page 18 of the Intrastate Tariff and page 24 of the Access Tariff. Applicant does not intend to provide telecommunications services to residential customers.**

(A-19) List the States in which the Applicant currently offers telecommunications services similar to those that the Applicant will or intends to offer in Arizona.

**Note:** If the Applicant currently provides telecommunication services that the Applicant intends to provide in Arizona in six or more states, excluding Arizona, list the states. If the Applicant does not currently provide telecommunications services that the Applicant intends to provide in Arizona in five or less states, list the key personnel employed by the Applicant. Indicate each employee's name, title, position, description of their work experience, and years of service in the telecommunications services industry.

**Onvoy is currently authorized to provide telecommunications service in California, Colorado, Indiana, Iowa (interexchange only), Michigan, Minnesota, Montana, Nebraska (interexchange only), Nevada, North Dakota, Ohio, Oregon, South Dakota (interexchange only), Texas (interexchange only), Utah, Washington and Wisconsin.**

**Biographies of Onvoy's key personnel are provided as Exhibit A.**

(A-20) List the names and addresses of any alternative providers of the service that are also affiliates of the telecommunications company, as defined in R14-2-801.

**The following affiliates of Applicant are authorized to provide all or some of the services that Applicant is seeking authorization to provide: Zayo Group, LLC, American Fiber Systems, Inc. and 360networks (USA) inc. All of these entities have a principal business address at 400 Centennial Parkway, Suite 200, Louisville, CO80027.**

(A-21) Check here if you wish to adopt as your petition a statement that the service has already been classified as competitive by Commission Decision:

- Decision # 64178 Resold Long Distance  
 Decision # 64178 Resold LEC  
 Decision # 64178 Facilities Based Long Distance  
 Decision # 64178 Facilities Based LEC

## B. FINANCIAL INFORMATION

(B-1) Indicate if the Applicant has financial statements for the two (2) most recent years.

Yes  No

If "No," explain why and give the date on which the Applicant began operations.

(B-2) Include "Attachment D".

Provide the Applicant's financial information for the two (2) most recent years.

1. A copy of the Applicant's balance sheet.
2. A copy of the Applicant's income statement.

**C. RESOLD AND/OR FACILITIES-BASED LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES**

(C-1) Indicate if the Applicant has a resale agreement in operation,

Yes  No

If "Yes", please reference the resale agreement by Commission Docket Number or Commission Decision Number.

**D. FACILITIES-BASED LONG DISTANCE AND/OR FACILITIES BASED LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES**

(D-1) Indicate if the Applicant is currently selling facilities-based long distance telecommunications services AND/OR facilities-based local exchange telecommunications services in Arizona. This item applies to an Applicant requesting a geographic expansion of their CC&N:

Yes  No

If "Yes," provide the following information:

1. The date or approximate date that the Applicant began selling facilities-based long distance telecommunications services AND/OR facilities-based local exchange telecommunications services in Arizona.
2. Identify the types of facilities-based long distance telecommunications services AND/OR facilities-based local exchange telecommunications services that the Applicant sells in Arizona.

If "No," indicate the date when the Applicant will begin to sell facilities-based long distance telecommunications AND/OR facilities-based local exchange telecommunications services in Arizona.

**Not applicable.**

**E. FACILITIES-BASED LOCAL EXCHANGE TELECOMMUNICATIONS SERVICES**

(E-1) Indicate whether the Applicant will abide by the quality of service standards that were approved by the Commission in Commission Decision Number 59421:

Yes  No

**To the extent that Applicant provides retail basic local exchange services, Applicant will abide by the quality of service standards approved in Commission Decision Number 59421.**

(E-2) Indicate whether the Applicant will provide all customers with 911 and E911 service, where available, and will coordinate with incumbent local exchange carriers ("ILECs") and emergency service providers to provide this service:

Yes  No

**To the extent that Applicant provides retail basic local exchange services, Applicant will provide all customers with 911 and E911 service, where available, and will coordinate with ILEC and emergency service providers to provide this service.**