

**COMMISSIONERS**  
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**RECEIVED**

**ARIZONA CORPORATION COMMISSION**

**2014 OCT -1 A 9 14**

August 19, 2014  
**AZ CORP COMMISSION  
DOCKET CONTROL**

*Via E-mail*

Arizona Corporation Commission

**DOCKETED**

OCT -1 2014

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Mr. Leon Nowalsky, Esq.  
Counsel for First Choice Technology, Inc. and  
IBFA Acquisition Company, LLC  
1420 Veterans Memorial Blvd.  
Metairie, LA 70005

Re: Staff's First Set of Data Requests to First Choice Technology, Inc. and IBFA Acquisition Company, LLC/Docket Nos. T-20400A-14-0296 and T-04314A-14-0296

Dear Mr. Nowalsky:

Please treat this as Staff's First Set of Data Requests to First Choice Technology, Inc. ("FCT") and IBFA Acquisition Company, LLC ("IBFA") (the "Applicants") in the above referenced matter.

For purposes of this data request set, the words "FCT," "IBFA", "Company," "you," and "your" refer to First Choice Technology, Inc. or IBFA Acquisition Company, LLC and any representative, including every person and/or entity acting with, under the control of, or on behalf of First Choice Technology, Inc. or IBFA Acquisition Company, LLC. **For each answer, please identify by name, title, and address each person providing information that forms the basis for the response provided.**

These data requests are continuing and your answers or any documents supplied in response to these data requests should be supplemented with any additional information or documents that should come to your attention after you have provided your initial responses. Also, please make sure all information you provide in response to item(s) concerning this Application, including Staff's data requests, is updated and current. If you need to update your response to any item(s)/request(s), please reference the item(s)/request(s) and provide your current response(s).

Please provide the information being requested within 10 business days of the date of this letter, by August 29, 2014. Please email the responses to [mconnolly@azcc.gov](mailto:mconnolly@azcc.gov). If no response is received, Staff will recommend that the Application be terminated. If the Application is terminated, the Applicants will continue to be required to comply with all requirements of ACC Decisions applicable to the Applicants including filing an Annual Report.

Should there be any questions, please contact me at (602) 542-0856. Thank you for your prompt response to this request.

Respectfully,

/s/ Matt Connolly

Matt Connolly

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Executive Consultant II  
Utilities Division

Attachment

STAFF'S FIRST SET OF DATA REQUESTS TO  
FIRST CHOICE TECHNOLOGY, INC. ("FCT") and  
IBFA ACQUISITION COMPANY, LLC ("IBFA")  
DOCKET NOS. T-20400A-14-0296/T-04314A-14-0296  
AUGUST 19, 2014

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**In addition to a paper response, all information responses should also be provided in searchable PDF, DOC or EXCEL files via email or electronic media.**

**For each answer, please identify by name, title, and address each person providing information that forms the basis for the response provided.**

Please make sure each numbered item and each part of the item is answered completely

STF 1.1 Please indicate the state(s) in which IBFA currently operates.

To our knowledge, IBFA is certified to provide telecommunications services in the states of Arizona, California, Colorado, Florida, Indiana, Iowa, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Montana, New Hampshire, New Jersey, New York, North Carolina, Oklahoma, Tennessee, Utah, Washington, West Virginia, Wisconsin, Wyoming.

Answer provided by: Becky Heggelund, Regulatory Specialist, Nowalsky & Gothard, APLLC, 1420 Veterans Blvd., Metairie, LA 70005

STF 1.2 Does IBFA have any employees in Arizona? If yes, please provide the number of employees.

To our knowledge, the answer is no.

Answer provided by: Becky Heggelund, Regulatory Specialist, Nowalsky & Gothard, APLLC, 1420 Veterans Blvd., Metairie, LA 70005

STF 1.3 Does IBFA have any facilities or assets in Arizona? If yes, please provide the dollar amount and location of such facilities or assets.

To our knowledge, the answer is no.

Answer provided by: Becky Heggelund, Regulatory Specialist, Nowalsky & Gothard, APLLC, 1420 Veterans Blvd., Metairie, LA 70005

STF 1.4 If FCT or IBFA has any open docket items pending before the Commission, please identify such dockets and explain their status.

To our knowledge, the answer is no.

Answer provided by: Becky Heggelund, Regulatory Specialist, Nowalsky & Gothard, APLLC, 1420 Veterans Blvd., Metairie, LA 70005

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STF 1.5 Did IBFA ever collect advances, deposits and/or prepayments from customers in Arizona? If so, please indicate how those deposits and/or prepayments will be addressed as a result of the purchase of IBFA.

To our knowledge, the answer is no.

Answer provided by: Becky Heggelund, Regulatory Specialist, Nowalsky & Gothard, APLLC, 1420 Veterans Blvd., Metairie, LA 70005

STF 1.6 Please indicate if there are any affiliates of IBFA currently offering telecommunications services in Arizona? If yes, are the telecommunications services provided by IBFA similar to those offered by its affiliates?

To our knowledge, the answer is no.

Answer provided by: Becky Heggelund, Regulatory Specialist, Nowalsky & Gothard, APLLC, 1420 Veterans Blvd., Metairie, LA 70005

STF 1.7 Does IBFA have any service contracts with customers? If so, please describe how these service contracts will be addressed as a result of the purchase of IBFA.

To our knowledge, the answer is no.

Answer provided by: Becky Heggelund, Regulatory Specialist, Nowalsky & Gothard, APLLC, 1420 Veterans Blvd., Metairie, LA 70005

STF 1.8 Does IBFA have a performance bond or irrevocable sight draft letter of credit ("ISDLOC") on file with the ACC? If yes, please specify the amount of the bond or ISDLOC.

To our knowledge, the answer is no.

Answer provided by: Becky Heggelund, Regulatory Specialist, Nowalsky & Gothard, APLLC, 1420 Veterans Blvd., Metairie, LA 70005

STF 1.9 If the response to STF 1.8 is affirmative, please specify if IBFA provided the original bond or ISDLOC to the ACC or just a copy (proof) of the bond or ISDLOC.

Not applicable.

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Answer provided by: Becky Heggelund, Regulatory Specialist, Nowalsky & Gothard, APLLC, 1420 Veterans Blvd., Metairie, LA 70005

STF 1.10 Please confirm that IBFA is not requesting a cancellation of its CC&N in Arizona.

We are not requesting a cancellation of IBFA's CC&N in Arizona.

Answer provided by: Becky Heggelund, Regulatory Specialist, Nowalsky & Gothard, APLLC, 1420 Veterans Blvd., Metairie, LA 70005

STF 1.11 If the response to 1.10 is no, please outline what service(s) IBFA will be offering in Arizona after the purchase is complete.

We are uncertain whether IBFA will be able to sustain their operations therefore we do not know if IBFA can or will continue to market or otherwise obtain customers.

Answer provided by: Becky Heggelund, Regulatory Specialist, Nowalsky & Gothard, APLLC, 1420 Veterans Blvd., Metairie, LA 70005

STF 1.12 Please provide a copy of the customer notification that was delivered to IBFA customers notifying them of the transaction and their opportunity to switch their service to another carrier.

Please find attached.

Answer provided by: Becky Heggelund, Regulatory Specialist, Nowalsky & Gothard, APLLC, 1420 Veterans Blvd., Metairie, LA 70005

STF 1.13 Is FCT or IBFA seeking a waiver of all or a portion of A.A.C. Rule R14-2-1107?

Yes. Specifically, FCT requests a waiver of R14-2-1107 A. 2 and 4. B.

Answer provided by: Becky Heggelund, Regulatory Specialist, Nowalsky & Gothard, APLLC, 1420 Veterans Blvd., Metairie, LA 70005

STF 1.14 Is FCT or IBFA seeking a waiver of all or a portion of A.A.C. Rules R-14-2-1901 to -1913?

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AUGUST 19, 2014

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Yes.

Answer provided by: Becky Heggelund, Regulatory Specialist, Nowalsky & Gothard,  
APLLC, 1420 Veterans Blvd., Metairie, LA 70005