

ROSHKA DEWULF & PATTEN



0000157017

ROSHKA DEWULF & PATTEN, PLC
ATTORNEYS AT LAW
ONE ARIZONA CENTER
400 EAST VAN BUREN STREET
SUITE 800
PHOENIX, ARIZONA 85004
TELEPHONE NO 602-256-6100
FACSIMILE 602-256-6800

RECEIVED

2014 OCT 28 A 11:32

ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

ORIGINAL

October 28, 2014

Arizona Corporation Commission
DOCKETED

OCT 28 2014

Emailed and Mailed

Docket Control
Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007

DOCKETED BY 

RE: GC Pivotal, LLC's Responses to Staff's First Set of Data Requests
Docket No. T-20787A-14-0367

Docket Control:

Enclosed are GC Pivotal's responses to Staff's First Set of Data Requests in the above docket.

Please let me know if you have any questions.

Sincerely,


Michael W. Patten

MWP:jh
Enclosure – Original and 13 Copies
cc: Matt Connolly

**STAFF'S FIRST SET OF DATA REQUESTS FOR
GC PIVOTAL, LLC (GC PIVOTAL)
DOCKET NO. T-20787A-14-0367
OCTOBER 28, 2014**

STF 1.1 Will GC Pivotal be charging its facilities-based and resold private line customers the same currently tariffed Arizona rates?

RESPONSE: Yes.

RESPONDENT: Jeremy Kissel, General Counsel

**STAFF'S FIRST SET OF DATA REQUESTS FOR
GC PIVOTAL, LLC (GC PIVOTAL)
DOCKET NO. T-20787A-14-0367
OCTOBER 28, 2014**

STF 1.2

If the answer to STF 1.1 is no, please provide a tariff of proposed rates, terms and conditions for facilities-based private line customers.

RESPONSE: Not applicable.

RESPONDENT:

**STAFF'S FIRST SET OF DATA REQUESTS FOR
GC PIVOTAL, LLC (GC PIVOTAL)
DOCKET NO. T-20787A-14-0367
OCTOBER 28, 2014**

STF 1.3 Please confirm GC Pivotal will not be providing local exchange or interexchange services to residential customers.

RESPONSE: **GC Pivotal confirms that, at this time, it will not provide local exchange or interexchange service to residential customers. However, in the event that GC Pivotal determines that it will provide such services, GC Pivotal will notify the Commission and ensure timely compliance of all applicable laws and rules.**

RESPONDENT: **Jeremy Kissel, General Counsel**

**STAFF'S FIRST SET OF DATA REQUESTS FOR
GC PIVOTAL, LLC (GC PIVOTAL)
DOCKET NO. T-20787A-14-0367
OCTOBER 28, 2014**

STF 1.4 Please confirm GC Pivotal will not be providing voice local exchange or interexchange services to business customers.

RESPONSE: GC Pivotal confirms that at this time, it will not be providing voice local exchange or interexchange services to business customers. See response to STF 1.3.

RESPONDENT: Jeremy Kissel, General Counsel

**STAFF'S FIRST SET OF DATA REQUESTS FOR
GC PIVOTAL, LLC (GC PIVOTAL)
DOCKET NO. T-20787A-14-0367
OCTOBER 28, 2014**

STF 1.5 Please provide the proposed tariff detailing the rates, terms and conditions GC Pivotal will be using for new customers.

RESPONSE: **With respect to the former MegaPath customers, we will continue to serve those customers pursuant to the MegaPath contractual arrangements.**

Second, with respect to new non-MegaPath customers, GC only intends to provide service under its private line tariff at this point.

RESPONDENT: **Jeremy Kissel, General Counsel**

**STAFF'S FIRST SET OF DATA REQUESTS FOR
GC PIVOTAL, LLC (GC PIVOTAL)
DOCKET NO. T-20787A-14-0367
OCTOBER 28, 2014**

STF 1.6 Will GC Pivotal have any employees located in Arizona? If yes, please specify how many. If not, why not?

RESPONSE: Yes, four employees.

RESPONDENT: Jeremy Kissel, General Counsel

**STAFF'S FIRST SET OF DATA REQUESTS FOR
GC PIVOTAL, LLC (GC PIVOTAL)
DOCKET NO. T-20787A-14-0367
OCTOBER 28, 2014**

STF 1.7

Please provide the location of the company's customer service center, the hours of availability for the customer support provided by GC Pivotal and the toll free customer support number for its customers.

RESPONSE:

GC Pivotal utilizes two Network Operation Centers to provide customer service. The Network Operation Centers are located in Chicago, Illinois and Waltham, Massachusetts. The toll free number is 1 (866) 469-5667. The Network Operations Centers can also be reached at CNO@globalcapacity.com.

RESPONDENT:

Jeremy Kissel, General Counsel

**STAFF'S FIRST SET OF DATA REQUESTS FOR
GC PIVOTAL, LLC (GC PIVOTAL)
DOCKET NO. T-20787A-14-0367
OCTOBER 28, 2014**

STF 1.8 Please describe how the company will handle customer complaints.

RESPONSE: Complaints will be handled through GC Pivotal's customer service center, which can be reached at (312) 660-1241 or customercare@globalcapacity.com. Should a complaint be referred to GC Pivotal by the Arizona Corporation Commission, it will be handled by Jeremy Kissel or John Nannenhorn, who can be reached at (312) 673-2400 or regulatory@globalcapacity.com.

RESPONDENT: Jeremy Kissel, General Counsel

**STAFF'S FIRST SET OF DATA REQUESTS FOR
GC PIVOTAL, LLC (GC PIVOTAL)
DOCKET NO. T-20787A-14-0367
OCTOBER 28, 2014**

STF 1.9 Please describe how the company will handle customer requests for maintenance and repair.

RESPONSE: GC Pivotal utilizes two Network Operation Centers to provide customer service. The Network Operation Centers are located in Chicago, Illinois and Waltham, Massachusetts. The toll free number is 1 (866) 469-5667. The Network Operations Centers can also be reached at CNO@globalcapacity.com.

RESPONDENT: Jeremy Kissel, General Counsel

**STAFF'S FIRST SET OF DATA REQUESTS FOR
GC PIVOTAL, LLC (GC PIVOTAL)
DOCKET NO. T-20787A-14-0367
OCTOBER 28, 2014**

STF 1.10

Please list the states in which GC Pivotal has had an application denied to offer telecommunications services similar to those that GC Pivotal will or intends to offer in Arizona. If there are any states where this occurred, please explain the reason for the denial, per state.

RESPONSE: There are no such states.

RESPONDENT: Jeremy Kissel, General Counsel

**STAFF'S FIRST SET OF DATA REQUESTS FOR
GC PIVOTAL, LLC (GC PIVOTAL)
DOCKET NO. T-20787A-14-0367
OCTOBER 28, 2014**

STF 1.11

An examination of filings in Public Service Commission of West Virginia Case No. 11-0259-T-CN did not reveal any supporting documentation for the commencement of operations issue mentioned in GC Pivotal's response to Application question (A-11). Please provide such documentation that indicates the nature of the issue and its conclusion.

RESPONSE: See Attachment STF 1.11.

RESPONDENT: Jeremy Kissel, General Counsel

Attachment-STF 1.11

Compliance Solutions Inc. Telcom Tax Services
Sales Tax Services
Tax Rating Services

407-260-1011 • 407-260-1033/fax • mark@csilongwood.com • 740 Florida Central Pkwy., Ste. 2028, Longwood, FL 32750

03:01 PM MAY 16 2013 PSC EXEC SEC DIV

May 15, 2013
Via FedEx, Tracking #7997-7337-4076

Public Service Commission of West Virginia
Attention: Sandra Squire, Director, Executive Secretary Division
201 Brooks Street
Charleston, WV 25323
304-340-0300

Re: May 9, 2013 Letter to GC Pivotal, LLC
Case No. 13-0445-T-P

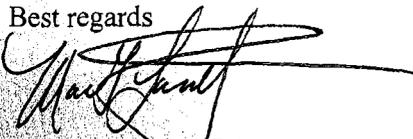
Dear Sandra,

The purpose of this letter is to respond to your letter based on the Commission order. GC Pivotal, LLC has commenced operations starting in the January 2013 pursuant to authority granted in Case No. 11-0259-T-CN. GC Pivotal, LLC had \$25,240 of West Virginia intrastate end user (aka retail revenue) revenue in the 1Q2013 and plans to serve many more customers in West Virginia in 2013.

We respectfully request that Public Service Commission of West Virginia accept this letter knowing that GC Pivotal, LLC has started operations in January 2013 and allow GC Pivotal, LLC certificate with the Commission to remain active. GC Pivotal, LLC prays that the Commission cease from any punitive action or investigation as it merely took longer to commence operations than what was originally planned.

Please do not hesitate to contact me if you have any questions or concerns at mark@csilongwood.com or at my office at the phone number and address on my letterhead.

Best regards



Mark Lammert CPA
Tax Preparer for GC Pivotal LLC
President of Compliance Solutions, Inc.

Public Service Commission
Of West Virginia

201 Brooks Street, P. O. Box 812
Charleston, WV 25323



Phone: (304) 340-0300
FAX: (304) 340-0325

May 9, 2013

Mark Lammert, Tax Preparer
GC Pivotal, LLC
c/o Compliance Solutions, Inc.
740 Florida Central Pkwy, Ste. 2028
Longwood, FL 32750

RE: Case No. 13-0445-T-P
GC Pivotal, LLC

Dear Mr. Lammert:

Enclosed is a copy of a Commission order issued today in the above-styled proceeding.

If you have provided an email address you will automatically receive notifications as documents are filed in this proceeding. The email notifications allow recipients to view a document within an hour from the time the filing is processed. If you have not provided your email address, please send an email to caseinfo@psc.state.wv.us and state the case number in the email subject field. **You are encouraged to file an Electronic Mail Agreement which allows the commission to serve all orders issued in this matter via electronic notification.**

General reminder - if you submit any additional documents - in addition to filing an original and twelve copies of all documents with the Commission, you are required to **mail** a copy to all other parties of record. Please note - the Public Service Commission does not accept electronic filings.

Sincerely,

A handwritten signature in black ink, appearing to read "Sandra Squire".

Sandra Squire, Director
Executive Secretary Division

SS/jn
Enclosure: Order

On April 23, 2013, Staff filed its Final Joint Staff Memorandum. Staff stated that GCP failed to begin West Virginia operations within one year as required by the July 13, 2011 Commission Order in Commission Case No. 11-0259-T-CN. That order granted a request by GCP for a certificate of convenience and necessity to provide interexchange (IXC) and competitive services. Staff also stated that GCP also failed to file a tariff within ten days of the July 13, 2011 order as required, and that GCP did not file its tariff until April 17, 2013 with a requested effective date of April 18, 2013. Staff asserted that the GCP certificate is null and void for failure to comply with the July 13, 2011 Order. If the Commission determines that the certificate is not null and void, the Commission should deny the Motion for Confidential Treatment, because the financial information in the Annual Report is not subject to confidential treatment.

DISCUSSION

In Case No. 09-0819-T-CN, the Commission granted a certificate of convenience and necessity to Public Communications Services, Inc. (PCS) to provide resold interexchange services in the State of West Virginia. The Commission directed PCS to Commence operations within the State of West Virginia within one year and that otherwise the granted authority "shall be deemed null and void." Public Communications Services, Inc., Case No. 09-0819-T-CN (Recommended Decision July 21, 2009, Final August 10, 2009).

One year and two days after the above-described order issued in Case No. 09-0819-T-CN, PCS filed a proceeding to transfer control of PCS to another carrier. In an order issued on October 14, 2010, the Commission noted the "unambiguous terms" of the prior order requiring that if PCS did not timely commence operations in West Virginia it would not have any authority to transfer. Under the particular circumstances, the Commission granted one additional year for PCS to commence operations.

On October 31, 2011, PCS filed (in a separate docket) seeking permission to transfer indirect control of PCS. Staff determined, and PCS did not refute, that PCS had not commenced service in West Virginia within the one-year extension granted by the Commission. The Commission stated its intention to revoke the authority granted to PCS unless PCS submitted evidence that it had begun operations in West Virginia. Case No. 09-0819-T-CN, (Commission Order December 1, 2011).

PCS filed a motion to voluntarily cancel its certificate of convenience and necessity, noting that PCS had no customers in West Virginia. The Commission granted the motion to cancel the certificate because PCS did not timely commence operations under its certificate. Case No. 09-0819-T-CN (January 25, 2012)

In the PCS case, PCS initially filed regarding its certificate very shortly after the initial one year period had passed. In the present case, GCP received its certificate in

On April 23, 2013, Staff filed its Final Joint Staff Memorandum. Staff stated that GCP failed to begin West Virginia operations within one year as required by the July 13, 2011 Commission Order in Commission Case No. 11-0259-T-CN. That order granted a request by GCP for a certificate of convenience and necessity to provide interexchange (IXC) and competitive services. Staff also stated that GCP also failed to file a tariff within ten days of the July 13, 2011 order as required, and that GCP did not file its tariff until April 17, 2013 with a requested effective date of April 18, 2013. Staff asserted that the GCP certificate is null and void for failure to comply with the July 13, 2011 Order. If the Commission determines that the certificate is not null and void, the Commission should deny the Motion for Confidential Treatment, because the financial information in the Annual Report is not subject to confidential treatment.

DISCUSSION

In Case No. 09-0819-T-CN, the Commission granted a certificate of convenience and necessity to Public Communications Services, Inc. (PCS) to provide resold interexchange services in the State of West Virginia. The Commission directed PCS to Commence operations within the State of West Virginia within one year and that otherwise the granted authority "shall be deemed null and void." Public Communications Services, Inc., Case No. 09-0819-T-CN (Recommended Decision July 21, 2009, Final August 10, 2009).

One year and two days after the above-described order issued in Case No. 09-0819-T-CN, PCS filed a proceeding to transfer control of PCS to another carrier. In an order issued on October 14, 2010, the Commission noted the "unambiguous terms" of the prior order requiring that if PCS did not timely commence operations in West Virginia it would not have any authority to transfer. Under the particular circumstances, the Commission granted one additional year for PCS to commence operations.

On October 31, 2011, PCS filed (in a separate docket) seeking permission to transfer indirect control of PCS. Staff determined, and PCS did not refute, that PCS had not commenced service in West Virginia within the one-year extension granted by the Commission. The Commission stated its intention to revoke the authority granted to PCS unless PCS submitted evidence that it had begun operations in West Virginia. Case No. 09-0819-T-CN, (Commission Order December 1, 2011).

PCS filed a motion to voluntarily cancel its certificate of convenience and necessity, noting that PCS had no customers in West Virginia. The Commission granted the motion to cancel the certificate because PCS did not timely commence operations under its certificate. Case No. 09-0819-T-CN (January 25, 2012)

In the PCS case, PCS initially filed regarding its certificate very shortly after the initial one year period had passed. In the present case, GCP received its certificate in

July 2011 and, a year and a half later, has yet to commence operations in West Virginia. The Commission gives notice that it is inclined to revoke the authority granted to GCP unless GCP submits evidence within ten days to establish that operations have commenced in West Virginia.

FINDING OF FACT

GCP received a certificate of convenience and necessity on July 13, 2011 (Case No. 11-0259-T-CN), with the understanding that failure to commence operations within the State of West Virginia within one year would result in the authority being deemed null and void.

CONCLUSION OF LAW

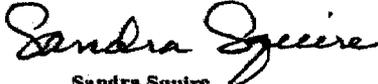
GCP should file information reflecting any operations conducted in West Virginia pursuant to the authority granted in Case No. 11-0259-T-CN.

ORDER

IT IS THEREFORE ORDERED that within ten days of the date of this Order GC Pivotal, LLC shall file information reflecting any operations conducted in West Virginia pursuant to the authority granted in Case No. 11-0259-T-CN.

IT IS FURTHER ORDERED that the Executive Secretary of the Commission serve a copy of this Order by electronic service on all parties of record who have filed an e-service agreement, by United States First Class Mail on all parties of record who have not filed an e-service agreement, and on Staff by hand delivery.

A True Copy. Teste:


Sandra Squire
Executive Secretary

JJW/s
130445c.doc

**PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON**

At a session of the PUBLIC SERVICE COMMISSION OF WEST VIRGINIA in the City of Charleston on the 11th day of June 2013.

CASE NO. 13-0445-T-P

GC PIVOTAL, LLC,
Petition requesting confidential treatment of
information contained in 2012 Annual Report.

COMMISSION ORDER

The Commission refers this matter for further proceedings.

BACKGROUND

Case No. 11-0259-T-CN

On June 28, 2011, the presiding Administrative Law Judge (ALJ) issued a Recommended Decision (Final July 13, 2011) granting GC Pivotal, LLC (GCP) a certificate of public convenience and necessity to provide intrastate telecommunication resale services throughout the State of West Virginia by offering resold data circuits by utilizing the facilities of incumbent local exchange carriers and other facilities-based carriers. The order specified: "GC Pivotal, LLC, is required to commence operations within the State of West Virginia within one (1) year from the date this decision becomes final, otherwise the authority hereby granted shall be deemed null and void." The order also required GCP to file a proper tariff on or before July 23, 2011.

Present Case

On March 28, 2013, GCP filed its 2012 Annual Report. GCP filed its 2012 financial statements under seal.

On April 19, 2013, Commission Staff filed its Initial Joint Staff Memorandum. Staff stated that GCP had provided no justification for filing its financial records under seal. Staff learned from GCP that GCP had no West Virginia operations in 2012. Staff stated that it advised GCP to submit a completed version of its Annual Report as soon as possible.

On April 23, 2013, Staff filed its Final Joint Staff Memorandum. Staff stated that GCP failed to begin West Virginia operations within one year as required by the July 13, 2011 Commission Order in Commission Case No. 11-0259-T-CN. That order granted a request by GCP for a certificate of convenience and necessity to provide interexchange (IXC) and competitive services. Staff also stated that GCP also failed to file a tariff within ten days of the July 13, 2011 order as required, and that GCP did not file its tariff until April 17, 2013 with a requested effective date of April 18, 2013. Staff asserted that the GCP certificate is null and void for failure to comply with the July 13, 2011 Order. If the Commission determines that the certificate is not null and void, the Commission should deny the Motion for Confidential Treatment, because the financial information in the Annual Report is not subject to confidential treatment.

On May 9, 2013, the Commission issued an order noting that GCP received its certificate in July 2011 and had apparently failed to commence operations in West Virginia. The Commission stated that it was inclined to revoke the authority granted to GCP unless GCP submitted information within ten days to establish that operations had commenced in West Virginia.

On May 16, 2013, GCP filed a letter stating that it had commenced operations in West Virginia beginning in January 2013. GCP stated that it had taken longer to commence its West Virginia operations than originally planned. GCP requested that the Commission allow the GCP certificate to remain active.

DISCUSSION

Based on the information supplied by GCP regarding its West Virginia operations, the Commission will not revoke the GCP certificate. The Commission will refer the question of confidential treatment in the 2012 Annual Report to the ALJ Division for further proceedings.

The Commission reminds GCP that Rules 4.1.d and 12.7 of the Commission Rules of Practice and Procedure, 150 C.S.R. 1, requires that limited liability corporations be represented by legal counsel admitted to practice before the courts of this State for all except preliminary filings with the Commission.

FINDING OF FACT

GCP asserted service in West Virginia beginning in January 2013.

CONCLUSION OF LAW

Under the circumstances of this case the Commission will not revoke the GCP certificate and will refer the question of confidential treatment to the ALJ Division for further proceedings.

ORDER

IT IS ORDERED that this proceeding be referred to the Division of Administrative Law Judges for a decision to be rendered on or before Monday, December 9, 2013

IT IS FURTHER ORDERED that if the participants desire an extension of the foregoing decision due date, they may seek an extension only on formal application to the Commission.

IT IS FURTHER ORDERED that the Executive Secretary of the Commission serve a copy of this order by electronic service on all parties of record who have filed an e-service agreement, by United States First Class Mail on all parties of record who have not filed an e-service agreement, and on Staff by hand delivery.

A True Copy, Teste:


Sandra Squire
Executive Secretary

JJW/s
130445ca.doc

**STAFF'S FIRST SET OF DATA REQUESTS FOR
GC PIVOTAL, LLC (GC PIVOTAL)
DOCKET NO. T-20787A-14-0367
OCTOBER 28, 2014**

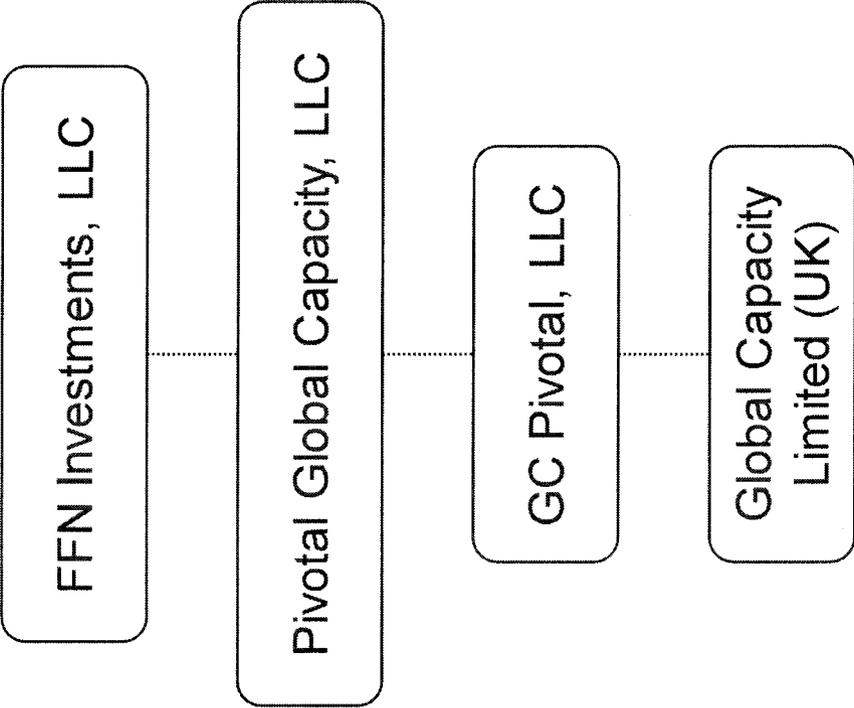
STF 1.12 Please provide a diagram clearly showing the relationship between FFN Investments, LLC, Pivotal Global Capacity, LLC, Pivotal Group and GC Pivotal d/b/a Global Capacity.

RESPONSE: See Attachment STF 1.12.

RESPONDENT: Jeremy Kissel, General Counsel

Attachment-STF 1.12

Organizational Structure
GC Pivotal, LLC d/b/a Global Capacity



**STAFF'S FIRST SET OF DATA REQUESTS FOR
GC PIVOTAL, LLC (GC PIVOTAL)
DOCKET NO. T-20787A-14-0367
OCTOBER 28, 2014**

STF 1.13

The officers listed in the response to (A-8) 2. appear to be officers of Pivotal Group and not of the Applicant. Please confirm this assumption is correct and provide the list of officers of GC Pivotal. Please also indicate if the officers listed in the response to (A-8) 2. are owners of GC Pivotal and if so, their percentages of ownership.

RESPONSE:

Francis Najafi and Richard Garner are officers of GC Pivotal, LLC. The GC Pivotal, LLC management team identified in the response handle the day-to-day operations of GC Pivotal, LLC. GC Pivotal, LLC is wholly owned by Pivotal Global Capacity, LLC.

RESPONDENT:

Jeremy Kissel, General Counsel

**STAFF'S FIRST SET OF DATA REQUESTS FOR
GC PIVOTAL, LLC (GC PIVOTAL)
DOCKET NO. T-20787A-14-0367
OCTOBER 28, 2014**

STF 1.14 Please provide a complete description of the Facilities-Based Private Line services GC Pivotal intends to provide as requested in Application question (A-2).

RESPONSE: Private Line Service is a direct communications channel available at multiple speeds (DS-1, DS-3, Optical SONET (OC-N), and 1Mbps thru 1000Mbps circuits) between two designated locations on a point-to-point basis.

RESPONDENT: Jeremy Kissel, General Counsel

**STAFF'S FIRST SET OF DATA REQUESTS FOR
GC PIVOTAL, LLC (GC PIVOTAL)
DOCKET NO. T-20787A-14-0367
OCTOBER 28, 2014**

STF 1.15

Please indicate what parts of its own facilities GC Pivotal will be using to provide facilities-based service and whether any of those facilities are or will be located in Arizona.

RESPONSE:

As part of the MegaPath/GC Pivotal transaction, GC Pivotal is purchasing MegaPath's network, composed of equipment in the company's collocation spaces (e.g., DSLAMs, routers, cable, and racks), applications used to provide service, equipment related to the company's points of presence and transport, wholesale and certain direct access customers and their respective contracts, and other associated assets. GC Pivotal will utilize this network, along with interconnecting with ILEC networks and other carriers' networks as needed to provide the services. MegaPath has network assets in Arizona which are largely located within ILEC Central Offices.

RESPONDENT:

Jeremy Kissel, General Counsel

**STAFF'S FIRST SET OF DATA REQUESTS FOR
GC PIVOTAL, LLC (GC PIVOTAL)
DOCKET NO. T-20787A-14-0367
OCTOBER 28, 2014**

STF 1.16 Please provide an updated status, if any, of the pending applications and anticipated application filings for the states indicated in the response to Application question (A-18).

RESPONSE: GC Pivotal will provide updates. At this time, GC Pivotal has filed applications for authority (or expanded authority) in Colorado, Florida, Georgia, Idaho, Nebraska, New Jersey, Tennessee, Washington, and Wyoming.

RESPONDENT: Jeremy Kissel, General Counsel

**STAFF'S FIRST SET OF DATA REQUESTS FOR
GC PIVOTAL, LLC (GC PIVOTAL)
DOCKET NO. T-20787A-14-0367
OCTOBER 28, 2014**

STF 1.18 Is the company aware that according to A.A.C. R14-2-1201(6)(d) a requirement of providing Local Exchange service in Arizona is that 911 service also be provided?

RESPONSE: Yes. Should GC Pivotal offer voice local exchange service in Arizona, it will provide 911 service.

RESPONDENT: Jeremy Kissel, General Counsel

**STAFF'S FIRST SET OF DATA REQUESTS FOR
GC PIVOTAL, LLC (GC PIVOTAL)
DOCKET NO. T-20787A-14-0367
OCTOBER 28, 2014**

STF 1.19

In response to STF 1.18 and Application question (E-2), please specify how GC Pivotal intends to comply with A.A.C. R14-2-1201(6)(d).

RESPONSE:

GC Pivotal does not intend to provide “basic local exchange telephone service” in Arizona, which is the basic residential voice telephone service that qualifies for Arizona USF support. Therefore, that provision does not apply.

RESPONDENT:

Jeremy Kissel, General Counsel

**STAFF'S FIRST SET OF DATA REQUESTS FOR
GC PIVOTAL, LLC (GC PIVOTAL)
DOCKET NO. T-20787A-14-0367
OCTOBER 28, 2014**

STF 1.20 As an applicant for Facilities-Based and Resold Long Distance Telecommunications authority, is the company aware of the equal access rule requirement A.A.C. R14-2-1111(A)?

RESPONSE: Yes.

RESPONDENT: Jeremy Kissel, General Counsel

**STAFF'S FIRST SET OF DATA REQUESTS FOR
GC PIVOTAL, LLC (GC PIVOTAL)
DOCKET NO. T-20787A-14-0367
OCTOBER 28, 2014**

STF 1.21 In response to STF 1.20 and Application question (E-3), please specify how GC Pivotal intends to comply with A.A.C. R14-2-1111(A).

RESPONSE: GC Pivotal does not intend to provide voice service in Arizona. Therefore, providing 2-PIC toll equal access does not apply to its service. However, should GC Pivotal begin offering voice local exchange service, it will offer 2-PIC toll equal access.

RESPONDENT: Jeremy Kissel, General Counsel