

ORIGINAL

NEW APPLICATION



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BEFORE THE ARIZONA CORPORATION COMM

SUSAN BITTER SMITH
Chairman
BOB STUMP
Commissioner
BOB BURNS
Commissioner
DOUG LITTLE
Commissioner
TOM FORESE
Commissioner

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IN THE MATTER OF THE APPLICATION)
OF CBeyond COMMUNICATIONS, LLC)
TO DISCONTINUE FACILITIES-BASED)
LOCAL EXCHANGE AND RESOLD LONG)
DISTANCE TELECOMMUNICATIONS)
SERVICES IN ARIZONA)

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T-20497A-15-0111

APPLICATION

Cbeyond Communications, LLC (“Cbeyond” or “Applicant”) files this application under Arizona Administrative Code R14-2-1107 to discontinue facilities-based local exchange and resold long distance services and to cancel its certificate of convenience and necessity. Cbeyond was granted authority to provide facilities-based local exchange and resold long distance services on December 17, 2008 by Decision No. 70644.

Cbeyond is a subsidiary of Cbeyond, Inc. which is a subsidiary of Birch Communications, Inc. (“BCI”). BCI has a second subsidiary – Ionex Communication North, Inc. (“Ionex”) – which provides local exchange and interexchange services in Arizona. Customers are served by Ionex d/b/a Birch Communications. In contrast to Ionex d/b/a Birch Communications, Cbeyond has no customers in Arizona. Birch intends to continue providing services in Arizona through its Ionex subsidiary and not through Cbeyond. Cancelling one CC&N, while retaining

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the other, will reduce reporting requirements for the company and will simplify matters for taxing and licensing authorities.

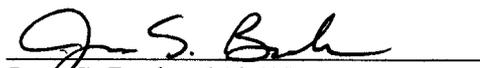
Cbeyond has no customers, making notice to affected customers impossible. Likewise, a plan for a refund of deposits collected pursuant to subsection R14-2-502(B) is not necessary because Cbeyond does not hold any customer deposits. Cbeyond will publish notice in newspapers of general circulation in all counties affected by the application and will file an Affidavit of Publication upon completion.

Rule 1107(A)(4) also requires a list of all alternative utilities providing the same or similar service within in the affected geographic area. Cbeyond does not have an exhaustive list of alternative utilities; however, the Company is aware that customers have numerous provider alternatives including CenturyLink QC, Cox Arizona Telecom, LLC, Integra Telecom, Level 3 Communications, LLC, AT&T Communications of the Mountain States, AT&T Wireless Services, Inc. and Verizon Wireless.

Cbeyond hereby respectfully requests a Commission order granting this application to discontinue service, and cancelling the Cbeyond certificate of convenience and necessity issued on December 17, 2008 in Docket No. T-20497A-06-0802 (Decision No. 70644).

RESPECTFULLY SUBMITTED this 2nd day of April 2015

By:



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ORIGINAL and thirteen (13) copies of the foregoing
filed this 2nd day of April 2015 with:

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

