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MEMORANDUM

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TO: Docket Control

FROM: Steven M. Olea  
Director  
Utilities Division

DATE: July 22, 2015

RE: IN THE MATTER OF THE APPLICATION OF TOWER CLOUD, INC. FOR  
APPROVAL TO CANCEL ITS CERTIFICATE OF CONVENIENCE AND  
NECESSITY (DOCKET NO. T-20563A-15-0126)

Attached is the Staff Report for the above referenced application. The Applicant is applying for approval to cancel its Certificate of Convenience and Necessity ("CC&N") to provide Special Access Telecommunications Services.

Staff recommends cancellation of the CC&N.

SMO:MAC:nr\ML

Originator: Matt Connolly

Arizona Corporation Commission  
DOCKETED

JUL 22 2015

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DOCKET NO.: T-20563A-15-0126

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STAFF REPORT  
UTILITIES DIVISION  
ARIZONA CORPORATION COMMISSION

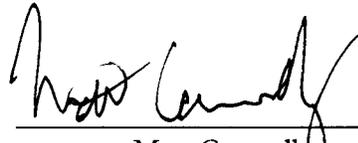
TOWER CLOUD, INC.  
DOCKET NO. T-20563A-15-0126

IN THE MATTER OF THE APPLICATION  
OF TOWER CLOUD, INC. FOR APPROVAL TO CANCEL  
THEIR CERTIFICATE OF CONVENIENCE AND NECESSITY

July 22, 2015

## STAFF ACKNOWLEDGEMENT

The Staff Report for Tower Cloud, Inc., Docket No. T-20563A-15-0126, was the responsibility of the Staff member listed below. Matt Connolly was responsible for the review and analysis of Tower Cloud, Inc.'s Application to cancel its Certificate of Convenience and Necessity.



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Matt Connolly  
Executive Consultant II

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## **INTRODUCTION**

On April 14, 2015, Tower Cloud, Inc. (“TCI” or “Applicant”) submitted an Application to discontinue special access telecommunications services and to cancel its Certificate of Convenience and Necessity (“CC&N”).

## **BACKGROUND**

TCI is a Delaware corporation with headquarters located at 9501 International Court N, St. Petersburg, Florida, 33716. On June 13, 2008, the Arizona Corporation Commission (“Commission”), in Decision No. 70385, granted TCI a CC&N to provide competitive special access telecommunications services within the State of Arizona.

The Applicant states TCI’s management “discontinued pursuit of business within Arizona.” TCI never conducted any business in Arizona, has no presence in Arizona and has no plans to pursue business in Arizona in the future.<sup>1</sup>

## **STAFF’S ANALYSIS**

Pursuant to A.A.C. R14-2-1107(B), TCI is required to publish legal notice of an Application to discontinue or abandon local exchange or interexchange services in all counties affected by the Application. As the Applicant has indicated to Staff, it never had any customers, therefore, there are no customers who would benefit from the legal notice. Staff recommends that the notice requirement contained in Arizona Administrative Code (“A.A.C.”) R14-2-1107 be waived.

The Consumer Services Section of the Utilities Division reports that there were no complaints or opinions filed against TCI from January 1, 2012, through April 21, 2015. TCI has not filed Utilities Annual Reports. The Corporations Division revoked TCI’s registration to conduct business on June 8, 2011, for failure to file its Annual Report.

## **RECOMMENDATIONS**

Staff recommends approval of TCI’s Application to cancel its CC&N to provide competitive special access telecommunications services in Arizona. Staff further recommends the cancellation of TCI’s tariff on file with the Commission.

Upon cancellation of its CC&N, TCI will no longer be authorized to provide competitive special access telecommunications services in Arizona and therefore, will no longer be subject to the requirements of Decision No. 70385.

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<sup>1</sup> See Application at paragraph 2.