

**ORIGINAL**

**OPEN MEETING**  
**MEMORANDUM**



0000163796

TO: THE COMMISSION

FROM: Utilities Division

DATE: July 27, 2015

RE: IN THE MATTER OF THE APPLICATION OF ENTELEAGENT SOLUTIONS, INC. FOR APPROVAL TO ELIMINATE BOND REQUIREMENTS. (DOCKET NO. T-20663A-15-0214)

RECEIVED  
AZ CORP COMMISSION  
DOCKET CONTROL

2015 JUL 27 AM 9 25

**Introduction**

On June 26, 2015, EnTelegent Solutions, Inc. ("EnTelegent" or "Applicant") submitted an Application requesting elimination of the bond or letter of credit requirement contained in Decision No. 71780.

**Background**

On July 21, 2009, in anticipation of receiving Arizona Corporation Commission ("Commission") approval of its request for a Certificate of Convenience and Necessity, EnTelegent filed proof that it had delivered to the Commission's Business Office an original bond in the amount of \$100,000.<sup>1</sup> In Decision No. 71780, dated July 12, 2010, the Commission ordered that this bond should remain on file with the Commission until further order of the Commission.

Staff has confirmed the Business Office is in possession of the original \$100,000 bond mentioned here. EnTelegent is requesting the return of the \$100,000 bond to the contact listed below.

**Compliance**

According to the Corporations Division, EnTelegent is in good standing. The Compliance Section of the Utilities Division reports that EnTelegent is currently in compliance. The Consumer Services Section of the Utilities Division reports there have been no complaints or opinions about EnTelegent between January 1, 2012 and July 1, 2015. EnTelegent filed its 2014 Utilities Annual Report on April 14, 2015.

Arizona Corporation Commission

**DOCKETED**

**JUL 27 2015**

DOCKETED BY **MLB**

<sup>1</sup>See Docket No. T-20663A-09-0130, *In the matter of the application of Enteleagent Solutions, Inc. for approval of a Certificate of Convenience and Necessity for Resold Long Distance and Facilities-Based Local Exchange Telecommunications Services.*

**Staff Recommendations**

The Commission has, in appropriate circumstances, relieved telecommunications providers of the obligation to maintain a performance bond or irrevocable sight draft letter of credit ("ISDLOC"). Staff recommends EnTelegent be relieved of the \$100,000 performance bond obligation contained in Decision No. 71780.

The Applicant states that in order to release the bond, it is sufficient for the Commission to include in an ordering paragraph language authorizing the Applicant to cancel, rescind, discontinue and be released from the performance bond or ISDLOC requirements set by Decision No. 71780 and authorizing the cancellation of the bond.

EnTelegent indicated to Staff the bond should be returned to the following name and address:

Michael Ruziska  
Vice President  
EnTelegent Solutions, Inc.  
3800 Arco Corporate Drive  
Suite 310  
Charlotte, North Carolina 28273



Steven M. Olea  
Director  
Utilities Division

SMO:MAC:vsc\BH

ORIGINATOR: Matt Connolly

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BEFORE THE ARIZONA CORPORATION COMMISSION

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

IN THE MATTER OF THE APPLICATION  
OF ENTELEAGENT SOLUTIONS, INC. FOR  
APPROVAL TO ELIMINATE BOND  
REQUIREMENTS.

DOCKET NO. T-20663A-15-0214  
DECISION NO. \_\_\_\_\_  
ORDER

Open Meeting  
August 18 and 19, 2015  
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. On June 26, 2015, EnTelegent Solutions, Inc. ("EnTelegent" or "Applicant") submitted an Application requesting elimination of the bond or letter of credit requirement contained in Decision No. 71780.

**Background**

2. On July 21, 2009, in anticipation of receiving Arizona Corporation Commission ("Commission") approval of its request for a Certificate of Convenience and Necessity, EnTelegent filed proof that it had delivered to the Commission's Business Office an original bond in the amount of \$100,000.<sup>1</sup> In Decision No. 71780, dated July 12, 2010, the Commission ordered that this bond should remain on file with the Commission until further order of the Commission.

<sup>1</sup>See Docket No. T-20663A-09-0130, *In the matter of the application of Enteleagent Solutions, Inc. for approval of a Certificate of Convenience and Necessity for Resold Long Distance and Facilities-Based Local Exchange Telecommunications Services.*

1           3. Staff has confirmed the Business Office is in possession of the original \$100,000 bond  
2 mentioned here. EnTelegent is requesting the return of the \$100,000 bond to the contact listed  
3 below.

#### 4 **Compliance**

5           4. According to the Commission Corporations Division, EnTelegent is in good standing.  
6 The Compliance Section of the Utilities Division reports that EnTelegent is currently in compliance.  
7 The Consumer Services Section of the Utilities Division reports there have been no complaints or  
8 opinions about EnTelegent between January 1, 2012 and July 1, 2015. EnTelegent filed its 2014  
9 Utilities Annual Report on April 14, 2015.

#### 10 **Staff Recommendations**

11           5. The Commission has, in appropriate circumstances, relieved telecommunications  
12 providers of the obligation to maintain a performance bond or irrevocable sight draft letter of credit  
13 ("ISDLOC"). Staff recommends EnTelegent be relieved of the \$100,000 performance bond  
14 obligation contained in Decision No. 71780.

15           6. The Applicant states that in order to release the bond, it is sufficient for the  
16 Commission to include in an ordering paragraph language authorizing the Applicant to cancel, rescind,  
17 discontinue and be released from the performance bond or ISDLOC requirements set by Decision  
18 No. 71780 and authorizing the cancellation of the bond.

19           7. EnTelegent indicated to Staff the bond should be returned to the following name and  
20 address:

21                           Michael Ruziska  
22                           Vice President  
23                           EnTelegent Solutions, Inc.  
24                           3800 Arco Corporate Drive  
25                           Suite 310  
26                           Charlotte, North Carolina 28273

#### 25 CONCLUSIONS OF LAW

26           1. EnTelegent Solutions, Inc. is a public service corporation within the meaning of  
27 Article XV of the Arizona Constitution.



1 IT IS FURTHER ORDERED that any bonds on file with the Commission on behalf of  
2 EnTelegent Solutions, Inc. be returned to the following name and address provided by the Applicant:

3 Michael Ruziska  
4 Vice President  
5 EnTelegent Solutions, Inc.  
6 3800 Arco Corporate Drive  
7 Suite 310  
8 Charlotte, North Carolina 28273

9 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

10 BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION

11 CHAIRMAN

COMMISSIONER

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13  
14 COMMISSIONER

COMMISSIONER

COMMISSIONER

15 IN WITNESS WHEREOF, I, JODI JERICH, Executive  
16 Director of the Arizona Corporation Commission, have  
17 hereunto, set my hand and caused the official seal of this  
18 Commission to be affixed at the Capitol, in the City of  
19 Phoenix, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

20 \_\_\_\_\_  
21 JODI JERICH  
22 EXECUTIVE DIRECTOR

23 DISSENT: \_\_\_\_\_

24 DISSENT: \_\_\_\_\_

25 SMO:MAC:vsc\BH  
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1 SERVICE LIST FOR: EnTelegent Solutions, Inc.  
2 DOCKET NO. T-20663A-15-0214

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4 Michael Ruziska  
5 Vice President  
6 EnTelegent Solutions, Inc.  
7 3800 Arco Corporate Drive  
8 Suite 310  
9 Charlotte, North Carolina 28273

10 Mr. Steven M. Olea  
11 Director, Utilities Division  
12 Arizona Corporation Commission  
13 1200 West Washington Street  
14 Phoenix, Arizona 85007

15 Ms. Janice M. Alward  
16 Chief Counsel, Legal Division  
17 Arizona Corporation Commission  
18 1200 West Washington Street  
19 Phoenix, Arizona 85007

20 Ms. Lyn Farmer  
21 Acting Chief Administrative Law Judge  
22 Hearing Division  
23 Arizona Corporation Commission  
24 1200 West Washington Street  
25 Phoenix, Arizona 85007

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