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BEFORE THE ARIZONA CORPORATION CC

COMMISSIONERS

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

Arizona Corporation Commission

DOCKETED

AUG 26 2015

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF
CBeyond COMMUNICATIONS, LLC FOR
APPROVAL TO CANCEL ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY.

DOCKET NO. T-20497A-15-0111

DECISION NO. 75248

ORDER

Open Meeting
August 18 and 19, 2015
Phoenix, Arizona

BY THE COMMISSION:

* * * * *

Having considered the entire record herein and being fully advised in the premises, the Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

FINDINGS OF FACT

1. On December 17, 2008, the Commission issued Decision No. 70644 granting Cbeyond Communications, LLC ("Cbeyond" or "Company") a Certificate of Convenience and Necessity ("CC&N") to provide competitive facilities-based local exchange and resold long distance telecommunications services within the State of Arizona.

2. On April 2, 2015, Cbeyond filed with the Commission an application requesting to discontinue facilities-based local exchange and resold long distance services. The Company's application further requested the Commission cancel its CC&N. In its application, Cbeyond states it is a subsidiary of Cbeyond, Inc. which is a subsidiary of Birch Communications, Inc. ("Birch"). The application indicates that Birch has a second subsidiary in Arizona called Ionex Communication North, Inc. ("Ionex"). Cbeyond points out that, unlike Cbeyond, Ionex has customers to which it provides local exchange and interexchange telecommunications services and asserts that retaining the CC&N for only one subsidiary will reduce reporting requirements and simplify matters for taxing and licensing authorities.

1 cancellation of its Certificate of Convenience and Necessity to provide competitive facilities-based
2 local exchange and resold long distance telecommunications services in Arizona shall be, and is
3 hereby, approved, and the Certificate of Convenience and Necessity is canceled.

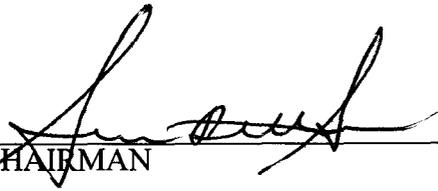
4 IT IS FURTHER ORDERED that Cbeyond Communications, LLC's telecommunications
5 services tariff on file with the Commission is hereby canceled.

6 IT IS FURTHER ORDERED that Cbeyond Communications, LLC is hereby granted a waiver
7 of the notice requirements in A.A.C. R14-2-1107.

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

9 BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

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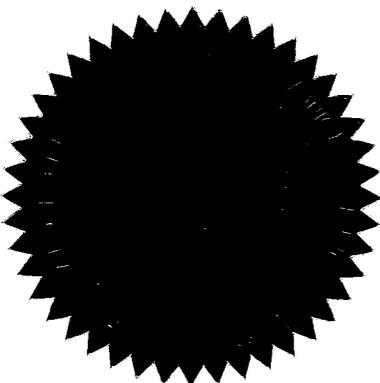

CHAIRMAN


COMMISSIONER

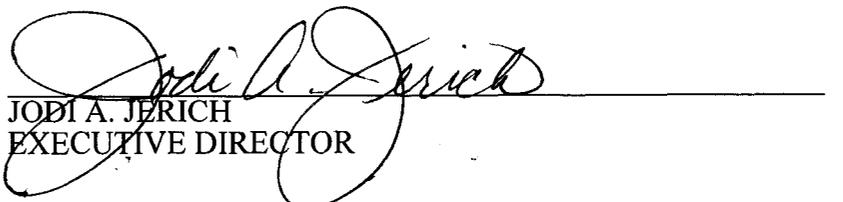

COMMISSIONER


COMMISSIONER


COMMISSIONER



IN WITNESS WHEREOF, I, JODI A. JERICH, Executive Director of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this 21st day of August, 2015.


JODI A. JERICH
EXECUTIVE DIRECTOR

DISSENT _____

DISSENT _____
SP:ru/tv

1 SERVICE LIST FOR: CBeyond COMMUNICATIONS, LLC

2 DOCKET NO.: T-20497A-15-0111

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