

# Morgan Lewis



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March 28, 2017

**VIA OVERNIGHT COURIER**

The Arizona Corporation Commission  
Utilities Division – Docket Control  
1200 W. Washington Street  
Phoenix, Arizona 85007

T-03924A-17-0086

**Re: Docket No. T-03924A-17-\_\_\_\_\_**  
**Application for Approval of ANPI Business, LLC to Discontinue Residential Long Distance Services**

Dear Sir or Madam:

Enclosed for filing with the Commission are an original and one (1) copy of the above-referenced Application.

Please date-stamp the extra copy of this filing and return it in the envelope provided. Should you have any questions concerning this filing, please do not hesitate to contact us.

Respectfully submitted,

Russell M. Blau  
Brett P. Ferenchak

Counsel to Applicant

Arizona Corporation Commission

**DOCKETED**

**MAR 30 2017**

DOCKETED BY

**Morgan, Lewis & Bockius LLP**

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Washington, DC 20004  
United States

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1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 **TOM FORESE, Chairman**  
4 **BOB BURNS**  
5 **DOUG LITTLE**  
6 **ANDY TOBIN**  
7 **BOYD W. DUNN**

8 **IN THE MATTER OF THE )**  
9 **APPLICATION OF ANPI BUSINESS, LLC )**  
10 **FOR APPROVAL TO DISCONTINUE )**  
11 **RESIDENTIAL LONG DISTANCE )**  
12 **SERVICES )**

**Docket No. T-03924A-17-\_\_\_\_\_**  
**APPLICATION**

13 **APPLICATION FOR APPROVAL OF ANPI BUSINESS, LLC TO**  
14 **DISCONTINUE RESIDENTIAL LONG DISTANCE SERVICES**

15 ANPI Business, LLC (“ANPI-Biz” or “Applicant”), pursuant to Rule R-14-2-1107 of the  
16 Arizona Administrative Code, requests that the Arizona Corporation Commission  
17 (“Commission”) grant approval or other authority as may be required so that ANPI-Biz can  
18 discontinue all residential long distance services, including but not limited to 1+, MTS, and toll  
19 free services, on June 1, 2017.

20 In support of this filing, ANPI-Biz provides the following information:

21 **I. APPLICANT**

22 ANPI-Biz, a Delaware limited liability company, has its principal office at 2300  
23 Berkshire Lane North, Suite 4, Minneapolis, Minnesota 55441. ANPI-Biz provides wholesale  
24 and retail interexchange service throughout the U.S., and is authorized to provide competitive  
local exchange service in a limited number of states. In Arizona, ANPI-Biz is authorized to  
provide (1) resold interexchange telecommunications services pursuant to a CC&N granted by

1 Decision No. 63523 in Docket No. T-03924A-00-0646<sup>1</sup> and (2) resold local exchange  
2 telecommunications service pursuant to a CC&N granted by Decision No. 75027 granted in  
3 Docket No. T-03924A-13-0007. ANPI-Biz is also authorized by the FCC to provide interstate  
4 and international telecommunications services.

5 **II. DESIGNATED CONTACTS**

6 Questions or any correspondence, orders or other materials pertaining to this filing should  
7 be directed to the following:

8 Russell M. Blau  
9 Brett P. Ferenchak  
10 Morgan, Lewis & Bockius LLP  
11 1111 Pennsylvania Ave, N.W.  
12 Washington, DC 20004  
Tel: 202-739-3000  
Fax: 202-739-3001  
russell.blau@morganlewis.com  
brett.ferenchak@morganlewis.com

Ryan Tackett  
ANPI Business, LLC  
2300 Berkshire Lane North, Suite 4  
Minneapolis, MN 55441  
Tel: 216-373-4635  
ryan.tackett@voyant.com

13 **III. DESCRIPTION OF THE DISCONTINUANCE**

14 ANPI-Biz intends to discontinue all residential international services, including but not  
15 limited to 1+, MTS and Toll Free services, throughout the state of Arizona. Since some small  
16 businesses may receive the affected residential long distance product, the discontinuance may  
17 also affect certain small businesses customers. This discontinuance will affect approximately 31  
18 customers in Arizona. ANPI-Biz will continue to provide other interexchange and local  
19 exchange services to other non-residential customers. Therefore, ANPI-Biz does not seek to  
20 surrender its CC&Ns.  
21  
22  
23

24 <sup>1</sup> The CC&N was originally granted in the name of Zone Telecom, Inc., which subsequently converted to a limited liability company known as Zone Telecom, LLC. See Docket No. T-03924A-10-0418. In 2013, Zone Telecom, LLC changed its name to ANPI Business, LLC. See Docket No. T-03924A-14-0123.

1 ANPI-Biz plans to discontinue providing residential long distance services as of June 1,  
2 2017, or as soon thereafter as any regulatory approvals can be obtained. The Company's largest  
3 underlying provider, Sprint Communications Company L.P. ("Sprint"), has notified ANPI-Biz  
4 that the services that the Company uses to provide long distance services to certain of the ANPI-  
5 Biz's customers will not be available beyond June 2017. Therefore, it is critical that this  
6 Application be approved in order to allow ANPI-Biz to discontinue residential long distance  
7 services as of June 1, 2017.

8 **IV. REQUIRED INFORMATION PURSUANT TO RULE R-14-2-1107**

9 **A. Any reasons for the proposed discontinuance of service or abandonment of  
10 service area**

11 ANPI-Biz is undertaking the discontinuance at least in part because ANPI-Biz's largest  
12 underlying provider, Sprint, notified ANPI-Biz that the services that ANPI-Biz uses to provide  
13 long distance services to certain of ANPI-Biz's customers will not be available beyond June  
14 2017. Further, ANPI-Biz's primary business is to provide communications services to business  
15 customers. This discontinuance will allow ANPI-Biz to focus on its core business market.

16 **B. Verification that all affected customers have been notified of the proposed  
17 discontinuance or abandonment, and that all affected customers will have  
18 access to an alternative local exchange service provider or interexchange  
19 service provider**

20 All of the affected customers will receive notice in compliance with the rules of this  
21 Commission and the Federal Communications Commission ("FCC"). Specifically, ANPI-Biz  
22 sent notice of the discontinuance to all affected customers via first class mail on March 17, 2017.  
23 A copy of the notice is attached as Exhibit A.

1           **C.     Where applicable, a plan for the refund of deposits collected pursuant to**  
2           **subsection R14-2-503(B)**

3           The Company has not collected deposits from any affected customers. Any monthly  
4 recurring charges will be prorated for the last month of service based on when the affected  
5 customer notifies the Company that the customer has selected another provider. That prorated  
6 portion of the monthly recurring charges will appear as a credit on the customer's "final invoice"  
7 and refunded as needed. Usage charges are billed in arrears.

8           **D.     A list of all alternative utilities providing the same or similar service within**  
9           **the affected geographic area**

10          Customers easily can obtain alternative long distance services from other wireline  
11 interexchange carriers or other providers such as interconnected voice over Internet protocol  
12 providers. A list of other utilities authorized to provide resold interexchange telecommunications  
13 services in Arizona is available at [http://www.azcc.gov/Divisions/Utilities/Utility\\_List/rld.pdf](http://www.azcc.gov/Divisions/Utilities/Utility_List/rld.pdf).  
14 There are also countless VoIP providers, including cable companies, that could provide  
15 replacement long distance services.

16          **V.     PUBLIC INTEREST CONSIDERATIONS**


17          The public interest will not be harmed by its discontinuance of residential long distance  
18 services. Further, the proposed discontinuance will not result in material harm to the affected  
19 customers because they easily can obtain alternative services from other wireline interexchange  
20 carriers or other providers such as interconnected voice over Internet protocol providers.  
21 Applicant is a non-dominant carrier with respect to the services to be discontinued. Applicant  
22 believes that the proposed discontinuance is reasonable and necessary. Applicant will take all  
23 reasonable steps, to the extent it is able, to assure that the discontinuance of services is not  
24 unduly disruptive to the present or future public convenience or necessity.

1 **VI. CONCLUSION**

2 Applicant submits that the information provided herein demonstrates that the public  
3 interest, convenience and necessity will be served by the expeditious grant of this Application.

4 WHEREFORE, Applicant respectfully requests that the Commission expeditious approve  
5 the discontinuance of Applicant's residential long distance services.

6 Respectfully submitted,

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8 Russell M. Blau  
9 Brett P. Ferenchak  
10 Morgan, Lewis & Bockius LLP  
11 1111 Pennsylvania Ave, N.W.  
12 Washington, DC 20004  
13 Tel: 202-739-3000  
14 Fax: 202-739-3001  
15 russell.blau@morganlewis.com  
16 brett.ferenchak@morganlewis.com

17 Counsel for ANPI Business, LLC

18 ORIGINAL and 1 copy of the foregoing  
19 Filed this 28<sup>th</sup> day of March, 2017 with:

20 The Arizona Corporation Commission  
21 Utilities Division – Docket Control  
22 1200 W. Washington Street  
23 Phoenix, Arizona 85007

24 Copy of the foregoing delivered via Overnight Courier  
this 28<sup>th</sup> day of March, 2017, to:

Alijah Abinah  
Utilities Division  
Arizona Corporation Commission  
1200 W. Washington Street  
Phoenix, Arizona 85007

1 Dwight Nodes, Chief Administrative Law Judge  
Hearing Division

2 Arizona Corporation Commission  
1200 W. Washington Street  
3 Phoenix, Arizona 85007

4 Timothy La Sota  
Legal Division

5 Arizona Corporation Commission  
1200 W. Washington Street  
6 Phoenix, Arizona 85007

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**EXHIBIT A**

Customer Notice



**NOTICE OF LONG DISTANCE SERVICES DISCONTINUANCE  
DO NOT DISREGARD THIS NOTICE**

March 17, 2017

RE: Account #[Customer Acct # here]

Dear Customer:

We regret to inform you that ANPI Business, LLC will be discontinuing all residential long distance services (including such services provided to small businesses). As a result, your ANPI Business, LLC service(s), including intrastate, interstate and international long distance services, will be discontinued on or after June 1, 2017, subject to regulatory approval.

Please take action in selecting a new carrier as soon as possible to avoid any interruption of your long distance service. We urge you not to delay in arranging for a new long distance service provider, as some providers may require several days or weeks to initiate new services. To help avoid any lapses in service, please check carefully that all long distance services you currently receive from ANPI Business, LLC, along with any toll free numbers that are assigned to you, are moved to your new provider. If you are not certain of your options for obtaining replacement pre-subscribed long distance service, you should contact your local telephone service provider and ask which carriers are accepting pre-subscribed customers. You may also contact any of the service companies that provide service in your area. An Internet search for "long distance telephone service provider" in your area should provide you with several alternatives.

Please be aware that you are responsible for paying for all services provided to you by ANPI Business, LLC during the transition. You may be subject to suspension or termination of your long distance service in accordance with applicable contracts, tariffs, and rules if you fail to pay your long distance bills. **So that we stop sending you invoices, please let us know as soon as you have switched to a new long distance provider by sending an email to [care@voyant.com](mailto:care@voyant.com).**

The Federal Communications Commission ("FCC") permits customers to object to discontinuance of their service by a telecommunications provider. As provided in the FCC's rule 47 CFR 63.71:

*"The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the Commission releases public notice of the proposed discontinuance. You may file your comments electronically through the FCC's Electronic Comment Filing System using the docket number established in the Commission's public notice for this proceeding, or you may address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the §63.71 Application of ANPI Business LLC. Comments should include specific information about the impact of this proposed discontinuance upon you, including any inability to acquire reasonable substitute service."*

ANPI Business, LLC is pleased to have had the opportunity to serve you, and remains committed to making your long distance service transition as smooth as possible. If you have any questions regarding our discontinuance of long distance services, please contact Customer Service at 1-800-262-9043.

Sincerely yours,  
ANPI Business, LLC Customer Service

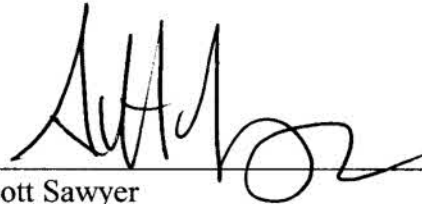
## VERIFICATION

STATE OF MINNESOTA  
COUNTY OF HENNEPIN

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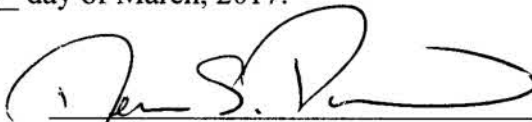
**VERIFICATION**

I, Scott Sawyer, state that I am General Counsel and Secretary of ANPI Business, LLC (the "Company"); that I am authorized to make this Verification on behalf of the Company; that the foregoing filing was prepared under my direction and supervision; and that the contents with respect to the Company are true and correct to the best of my knowledge, information, and belief.



\_\_\_\_\_  
Scott Sawyer  
General Counsel and Secretary  
ANPI Business, LLC

Sworn and subscribed before me this 13 day of March, 2017.

  
\_\_\_\_\_  
Notary Public

My commission expires 01/31/2018

