ORIGINAL

OPEN MEETING



MEMORANDUM

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Arizona Corporation Commission

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FROM:

TO:

Utilities Division

THE COMMISSION

DATE:

May 30, 2017

RE:

IN THE MATTER OF THE APPLICATION OF ANPI BUSINESS, LLC FOR APPROVAL TO DISCONTINUE RESIDENTIAL LONG DISTANCE

SERVICES (DOCKET NO. T-03924A-17-0086)

INTRODUCTION

Enclosed are the Commission Staff's memorandum and proposed order for IN THE MATTER OF THE APPLICATION OF ANPI BUSINESS, LLC FOR APPROVAL TO DISCONTINUE RESIDENTIAL LONG DISTANCE SERVICES (DOCKET NO. T-03924A-17-0086). This is only a Staff recommendation to the Commission; it has not yet become an order of the Commission. The Commission can decide to accept, amend or reject Staff's proposed order.

You may file comments to the recommendation(s) of the proposed order by filing an original and thirteen (13) copies of the comments with the Commission's Docket Control Center at 1200 W. Washington St., Phoenix, AZ 85007 by 4:00 p.m. on or before June 7, 2017.

This matter may be scheduled for Commission deliberation at its Open Meeting on June 13, 2017 at 10:00 a.m. and June 14, 2017, at 10:00 a.m.

If you have any questions about this matter, please contact Matt Connolly of our Staff at (602) 542-0856 or Elijah O. Abinah, Director, at (602) 542-6935.

BACKGROUND

On March 30, 2017, ANPI Business, LLC ("Applicant", "ANPI" or "Company") submitted an Application to discontinue provision of all of ANPI's residential long distance services, including, but not limited to, 1+, Message Telecommunications Service ("MTS"), and toll free services, effective June 1, 2017, or as soon thereafter as the necessary regulatory approvals are obtained.

A competitive carrier proposing to discontinue or abandon service must comply with the requirements of Arizona Administrative Code ("A.A.C.") R14-2-1107. As discussed below, ANPI has complied with the requirements of R14-2-1107 and Staff recommends approval of the Company's Application.

ANPI was granted a Certificate of Convenience and Necessity ("CC&N") by the Arizona Corporation Commission ("Commission") to provide competitive resold interexchange telecommunications services in Decision No. 63523 dated March 30, 2001, and resold local exchange telecommunications services in Decision No. 75027 dated April 23, 2015.

Pursuant to A.A.C. R14-2-1107, a carrier providing competitive telecommunications local or interexchange service must file an application with the Commission which sets forth the following information:

- a. Any reasons for the proposed discontinuance of service or abandonment of service area;
- b. Verification that all affected customers have been notified of the proposed discontinuance or abandonment, and that all affected customers will have access to an alternative local exchange service provider or interexchange service provider;
- c. Where applicable, a plan for the refund of deposits collected pursuant to subsection R14-2-503(B);
- d. A list of all alternative utilities providing the same or similar service within the affected geographic area.

STAFF ANALYSIS

In its Application, ANPI stated that its request for residential long distance service discontinuance was due in part to Sprint Communications Company, L.P. ("Sprint"), ANPI's largest underlying provider, informing ANPI that the services ANPI uses to provide residential long distance services to certain of ANPI's customers will no longer be available beyond June 2017. ANPI further stated that its primary business is to provide telecommunications services to business customers and this discontinuance will allow it to focus on its core business market.

Along with its responses to Staff's Data Requests, ANPI provided a list of alternative utilities providing the same or similar services within the affected geographic area. ANPI does not have any service contracts with the affected customers and stated in its Application that it has not collected any deposits from any affected customers.

On May 5, 2017, ANPI published legal notice of its Application to discontinue residential wireline long distance services in all counties affected by the Application and on May 18, 2017 filed an affidavit to this effect. ANPI included with its Application a notice required by the Federal Communications Commission ("FCC") that was also sent on March 17, 2017 to the initial thirty-one (31) affected customers. As of May 12, 2017, ANPI had eighteen (18) Arizona customers affected by this Application.

ANPI informed Staff that as of May 17, 2017, it had received no complaints from Arizona customers regarding its Application.

COMPLAINTS AND COMPLIANCE

The Compliance Section of the Utilities Division reports no delinquencies for ANPI. The Consumer Services Section of the Utilities Division reports between January 1, 2014 and April 26, 2017, that there are no complaints or opinions received for ANPI. ANPI filed its 2016 Utilities Annual Report on May 10, 2017.

STAFF RECOMMENDATIONS

For the above stated reasons, Staff recommends approval of ANPI's Application to discontinue its residential intrastate wireline long distance services effective June 1, 2017, or as soon thereafter as the necessary regulatory approvals are obtained.

Upon approval of ANPI's Application, ANPI should file an amendment to its Arizona A.C.C. Tariff No. 2 indicating that ANPI no longer offers intrastate residential long distance services.

Élijah O. Abinah

Director

Utilities Division

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ORIGINATOR: Matt Connolly

THE COMMISSION May 30, 2017 Page 4

On this 30th day of May, 2017, the foregoing document was filed with Docket Control as a <u>Utilities</u> <u>Division Memorandum & Proposed Order</u>, and copies of the foregoing were mailed on behalf of the <u>Utilities</u> Division to the following who have not consented to email service. On this date or as soon as possible thereafter, the Commission's eDocket program will automatically email a link to the foregoing to the following who have consented to email service.

Mr. Brett Feremchak
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CONSENT TO EMAIL SERVICE
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Mr. Andy Kvesic Director/Chief Counsel, Legal Division Arizona Corporation Commission 1200 West Washington Street Phoenix, Arizona 85007

Mr. Elijah O. Abinah Director, Utilities Division Arizona Corporation Commission 1200 West Washington Street Phoenix, Arizona 85007

By:

Administrative Support Specialist

C-03924A-17-0086		
at", "ANPI" or "Company"		
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telecommunications services in Decision No. 63523 dated March 30, 2001, and resold local exchange

telecommunications services in Decision No. 75027 dated April 23, 2015.

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- 4. Pursuant to A.A.C. R14-2-1107, a carrier providing competitive telecommunications local or interexchange service must file an application with the Commission which sets forth the following information:
 - Any reasons for the proposed discontinuance of service or abandonment of service area;
 - b. Verification that all affected customers have been notified of the proposed discontinuance or abandonment, and that all affected customers will have access to an alternative local exchange service provider or interexchange service provider;
 - c. Where applicable, a plan for the refund of deposits collected pursuant to subsection R14-2-503(B);
 - d. A list of all alternative utilities providing the same or similar service within the affected geographic area.

Staff Analysis

- 5. In its Application, ANPI stated that its request for residential long distance service discontinuance was due in part to Sprint Communications Company, L.P. ("Sprint"), ANPI's largest underlying provider, informing ANPI that the services ANPI uses to provide residential long distance services to certain of ANPI's customers will no longer be available beyond June 2017. ANPI further stated that its primary business is to provide telecommunications services to business customers and this discontinuance will allow it to focus on its core business market.
- 6. Along with its responses to Staff's Data Requests, ANPI provided a list of alternative utilities providing the same or similar services within the affected geographic area. ANPI does not have any service contracts with the affected customers and stated in its Application that it has not collected any deposits from any affected customers.
- 7. On May 5, 2017, ANPI published legal notice of its Application to discontinue residential wireline long distance services in all counties affected by the Application and on May 18, 2017 filed an affidavit to this effect. ANPI included with its Application a notice required by the Federal Communications Commission ("FCC") that was also sent on March 17, 2017 to the initial

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Decision No.	

thirty-one (31) affected customers. As of May 12, 2017, ANPI had eighteen (18) Arizona customers affected by this Application.

8. ANPI informed Staff that as of May 17, 2017, it had received no complaints from Arizona customers regarding its Application.

Complaints and Compliance

9. The Compliance Section of the Utilities Division reports no delinquencies for ANPI. The Consumer Services Section of the Utilities Division reports between January 1, 2014 and April 26, 2017, that there are no complaints or opinions received for ANPI. ANPI filed its 2016 Utilities Annual Report on May 10, 2017.

Staff Recommendations

- 10. For the above stated reasons, Staff recommends approval of ANPI's Application to discontinue its residential intrastate wireline long distance services effective June 1, 2017, or as soon thereafter as the necessary regulatory approvals are obtained.
- 11. Upon approval of ANPI's Application, ANPI should file an amendment to its Arizona A.C.C. Tariff No. 2 indicating that ANPI no longer offers intrastate residential long distance services.

CONCLUSIONS OF LAW

- ANPI Business, LLC is a public service corporation within the meaning of Article XV
 of the Arizona Constitution.
- 2. The Commission has jurisdiction over ANPI Business, LLC and the subject matter in this filing.
- The Commission, having reviewed the filing and Staff's Memorandum dated May 30,
 2017, concludes that it is in the public interest to approve ANPI Business, LLC's Application as proposed and discussed herein.

ORDER

IT IS THEREFORE ORDERED that the Application of ANPI Business, LLC to discontinue its residential long distance services be and hereby is approved.

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1	IT IS FURTHER ORDE	ERED the Applicant file an amendment to its Arizona A.C.C. Tariff	
2	No. 2 to indicate that ANPI no longer offers intrastate residential long distance services.		
3	IT IS FURTHER ORDERED that this Decision shall become effective immediately.		
4			
5	BY THE ORDER O	F THE ARIZONA CORPORATION COMMISSION	
6			
7	CHAIRMAN FO	RESE COMMISSIONER DUNN	
8			
9	COMMISSIONER TOBIN	COMMISSIONER LITTLE COMMISSIONER BURNS	
10			
11		IN WITNESS WHEREOF, I, TED VOGT Executive Director of the Arizona Corporation Commission, have	
12		hereunto, set my hand and caused the official seal of this	
13		Commission to be affixed at the Capitol, in the City of Phoenix, this, 2017.	
14			
15		TED VOGT	
16		EXECUTIVE DIRECTOR	
17			
18	DISSENT:		
19	DISSENT:		
20	EOA:MAC:red\BH		
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1	SERVICE LIST FOR: ANPI Business, LLC
2	DOCKET NO. T-03924A-17-0086
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