

**Minnesota Public Utilities Commission**  
*Staff Briefing Papers*

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Meeting Date: May 14, 2015 ..... \*Agenda Item # \_\_\_\_

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Company:           **All Local Service Providers**

Docket No.       **P999/M-14-979**

**In the matter of a Petition by the Department of Commerce to Order  
Discontinuance of Service to Revoked Carriers and Carriers that have Relinquished  
their Certificates of Authority..**

**Issues       Should the Commission grant the Department of Commerce petition?**

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**Relevant Documents**

Department of Commerce Petition ..... March 23, 2015

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The attached materials are work papers of the Commission staff. They are intended for use by the Public Utilities Commission and are based upon information already in the record unless noted otherwise.

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## **I. Statement of the Issues**

**Issues**      **Should the Commission grant the Department of Commerce petition?**

## **II. Background**

Periodically telecommunications carriers relinquish their certificates of authority (“RL” dockets) because they have no customers to serve, or because of purchase and acquisition (“PA” dockets), the certificates have been transferred to the surviving corporate entity. Carriers’ certificates of authority can also be revoked (“RV” dockets) by the Commission, after notice of hearing and hearing, if the carriers fail to meet the terms and conditions of their certificates.

In these instances, under Minn. Stat. §237.121, Subd. (a)(6),<sup>1</sup> a telephone company or a telecommunications carrier is prohibited from providing telephone service to such carriers.

Purchase and acquisition, relinquishment, and revocation of certificates are acted on by the Commission in individual dockets. In each of these dockets, however, the Department of Commerce (DOC) specifically notes that it would petition the Commission at a later time, after compiling a list of companies which no longer hold a valid certificate of authority, to issue an order directing all local carriers and telecommunications carriers to discontinue service to the companies on the list. It is administratively more efficient to periodically compile a list of such carriers for the purpose of discontinuance of service than to inform all carriers individually in every instance of relinquishment/revocation/purchase-acquisition.

Most recently, the Commission ordered discontinuance of service to such carriers on January 15, 2014 in Docket P999/M-13-755.

## **III. Department of Commerce Petition**

On March 23, 2015, the DOC filed a petition, including a list of carriers which no longer hold a valid certificate of authority, requesting the Commission to issue an order advising all telephone companies and telecommunications carriers to discontinue service arrangements with those companies on the list.

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<sup>1</sup> The statute, in relevant part, reads: “A telephone company or telecommunications carrier may not do any of the following with respect to services regulated by the commission: provide telephone service to a person acting as a telephone company or telecommunications carrier if the commission has ordered the telephone company or telecommunications carrier to discontinue service to that person.”

The DOC's list of companies is reproduced below:

<b><u>Company</u></b>	<b><u>Docket No.</u></b>	<b><u>Relinquishment Date</u></b>
Zeus Telecommunications, LLC	P6572/RL-12-438	6/1/2012
Covista, Inc.	P5123,P3144/PA-12-1355	2/4/2013
Mustang Communications Corporation	P5912/RL-13-176	4/5/2013
New Century Telecom, Inc.	P5539/RL-13-514	7/16/2013
Go Solo Technologies, Inc.	P5949/RL-13-559	9/24/2014
O.U. Connection, Inc.	P5178/RL-13-947	3/31/2014
Lightyear Network Solutions, LLC	P6350/RL-13-1061	12/13/2013
Globalcom, Inc. d/b/a GCI		
Globalcom Inc.	P6081/RL-13-1065	12/27/2013
Entrix Telecom, Inc.	P6204/RL-13-1163	1/30/2014
Business Productivity Solutions, Inc.	P6410/RL-14-90	2/21/2014
Access Fiber Group, Inc.	P6827/RL-14-190	3/26/2014
SNET America, Inc.	P5209/RL-14-398	6/13/2014
City of Lakefield	P6107/RL-14-415	6/13/2014
Consolidated Communications Enterprise Services, Inc.	P6216/RL-14-416	6/18/2014
Ernest Communications, Inc.	P6434/RV-14-433	8/1/2014
Clear World Communications Corporation	P5690/RL-14-434	7/11/2014
LDC Telecommunications, Inc.	P5207/RV-14-435	8/8/2014
Infotelecom, LLC	P6522/RV-14-442	8/8/2014
Unity Telecom, LLC	P5769/RL-14-750	9/24/2014
Teleconnect Long Distance Services and Systems Co.	P3012,P478/PA-14-673	9/24/2014
Verizon Enterprise Solutions LLC	P5883,P5439/PA-14-776	10/20/2014
Pac-West Telecomm, Inc.	P5979/RV-14-784	12/2/2014
Telecare, Inc.	P3113/RV-14-785	12/2/2014
Sti Prepaid, LLC	P6638/RV-14-786	12/2/2014
CTI Long Distance, Inc.	P5899/RL-14-836	10/20/2014
AMI Communications, Inc.	P5023/RL-14-966	12/18/2014

The DOC has petitioned for the following action by the Commission:

- 1) Order all local exchange and interexchange carriers to discontinue service arrangements enabling the list [above] of identified carriers to provide Minnesota intrastate telecommunications services to end-user and wholesale customers.

- 2) Order carriers who find that end-user or wholesale customers will be affected by the discontinuance to contact the Department within 7 days of the date of the Commission's Order. The Department will notify the carrier within 3 business days if the discontinuance may proceed, if there must first be a transition plan approved by the Department, or if the matter is to be further addressed by the Commission prior to discontinuance.
- 3) Order all local exchange and interexchange carriers to not engage in any new service arrangements for the provision of services that enable the identified carriers to provide Minnesota intrastate telecommunications service to end-user or wholesale customers effective immediately, unless this Order is suspended by another Commission Order.

#### **IV. Staff Recommendation**

Staff recommends that the Commission grant the DOC's petition and adopt the DOC recommendations.

#### **V. Commission Options**

1. Grant the DOC's petition.
2. Other action by the Commission.