

September 21, 2015

Daniel P. Wolf
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East
St. Paul, Minnesota 55101-2147

RE: Docket No. P6370/M-15-761

Dear Mr. Wolf:

Attached are the comments of the Minnesota Department of Commerce (Department) in the following matter:

Request of Preferred Long Distance Inc. to add Telplex Communications and Telplex to its certificate of authority, as assumed names.

The petition was filed on July 31, 2015 by:

Andrew Isar
Miller Isar, Inc.
4423 Point Fosdick Drive NW, Suite 306
Gig Harbor, WA 98335

The Department of Commerce recommends that the Commission approve the proposal and is available to answer any questions the Commission may have.

Sincerely,

/s/ BONNIE JOHNSON
Rate Analyst

/s/ DIANE DIETZ
Rate Analyst

BJ/DD/lt
Attachment

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

COMMENTS OF THE
MINNESOTA DEPARTMENT OF COMMERCE

DOCKET NO. P6370/M-15-761

I. BACKGROUND

On March 19, 2004, the Commission approved the initial interconnection agreement between Preferred Long Distance, Inc. and Qwest Corporation dba CenturyLink in Docket No. P6370, P421/IC-04-342.

On May 26, 2004, Preferred Long Distance, Inc. received conditional certification to provide facilities based local services in Docket No. P6370/NA-04-596. In that same Order, the Commission granted Preferred Long Distance, Inc. operational certification to provide long distance and local niche services. The condition attached to the local certification was the filing and receiving Commission approval of a 911 plan. This condition was fulfilled when the Commission approved the 911 plan of Preferred Long Distance, Inc. in its September 24, 2008 Order in Docket No. P6370/M-08-84.

On August 17, 2015, Preferred Long Distance, Inc. filed a proposal to operate under the assumed names of Telplex Communications and Telplex. Along with the filing, Preferred Long Distance, Inc. submitted a revised tariff.

In its August 17, 2015 petition, Preferred Long Distance, Inc. provided courtesy notification to the Commission of the Company's plans to initiate Voice over Internet Protocol (VoIP) services and Commercial Mobile Radio Services (CMRS) under the assumed names of Ringplanet Communications and Ringplanet.

The Company filed the assumed names Telplex, Telplex Communications, Ringplanet, and Ringplanet Communications with the Minnesota Office of the Secretary of State.

II. STATEMENT OF ISSUES

- 1) Whether the Company has satisfied the applicable regulatory requirements to add an assumed name to its certificate of authority.

III. LEGAL REFERENCES

Minn. Rule pt. 7812.0300, subpt. 2 requires an applicant's full legal name for certification. A change in the name under which a company operates or the addition of an assumed name requires Commission approval so that a certificate of authority reflects the current name. Minn. Rules pt. 7812.0300, subpt. 6 requires a company to file tariffs to reflect any changes in terms or conditions of service.

IV. ANALYSIS

The Minnesota Department of Commerce (Department) reviews each name change request for the relevant consumer, legal and policy issues. Name changes need to be monitored so that only authorized companies provide telecommunications service in Minnesota. Companies are permitted to make reasonable name changes as long as the name changes are properly registered with governmental agencies charged with tracking the presence of these companies.

The Department has no concerns with the proposed name change or the revised tariff pages filed with the current petition. The Department recommends that the Commission approve the proposal to add the assumed name to its certificate of authority and the proposed tariff.

As part of its review of the current petition, the Department investigated the plans of Preferred Long Distance, Inc. to provide iVoIP services under the assumed names of Ringplanet Communications and Ringplanet. Preferred Long Distance, Inc. states that its iVoIP service is a nomadic interconnected service enabling real time, two-way communications that allows users to originate and terminate calls on the public switched telephone network (PSTN). The iVoIP service requires a broadband connection as well as Internet protocol – compatible customer premises equipment (CPE). The Company does not plan to migrate any of its existing fixed location customers (served by time division multiplexing (TDM) equipment) to its iVoIP services.

In its July 28, 2015 Order in the Matter of the Complaint filed by the Department against the Charter Affiliates in docket No. P5615/C-14-383, the Commission found that Charter's fixed interconnected VoIP service is subject to its jurisdiction. The Commission did not assert jurisdiction over nomadic VoIP services. Thus, the iVoIP service proposed by Preferred Long Distance, Inc. does not share the same characteristics as the fixed VoIP service offered by the Charter Affiliates. In the context of the current petition to add assumed names, the Department recommends no Commission action in response to the plan of Preferred Long Distance, Inc. to offer its iVoIP service.

V. ALTERNATIVES

- A. Approve the proposal by Preferred Long Distance, Inc. to add Telplex Communications and Telplex as assumed names to its certificate of authority. Take no action regarding the proposal to offer nomadic Voice over Internet Protocol service using the assumed names of Ringplanet Communications and Ringplanet.
- B. Approve the proposal by Preferred Long Distance, Inc. to add Telplex Communications and Telplex as assumed names to its certificate of authority. Take whatever action the Commission deems appropriate on the proposal to offer nomadic Voice over Internet Protocol service using the assumed names of Ringplanet Communications and Ringplanet.
- C. Disapprove the proposal to add two assumed names to the certificate of authority and revised tariff. Take whatever action the Commission deems appropriate regarding the proposal to offer nomadic Voice over Internet Protocol service using the assumed names of Ringplanet Communications and Ringplanet.

VII. RECOMMENDATION

- A. Approve the proposal by Preferred Long Distance, Inc. to add Telplex Communications and Telplex as assumed names to its certificate of authority. Take no action regarding the proposal to offer nomadic Voice over Internet Protocol service using the assumed names of Ringplanet Communications and Ringplanet

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CERTIFICATE OF SERVICE

I, Sharon Ferguson, hereby certify that I have this day, served copies of the following document on the attached list of persons by electronic filing, certified mail, e-mail, or by depositing a true and correct copy thereof properly enveloped with postage paid in the United States Mail at St. Paul, Minnesota.

**Minnesota Department of Commerce
Comments**

Docket No. P6370/M-15-761

Dated this 21st day of September 2015

/s/Sharon Ferguson

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Julia	Anderson	Julia.Anderson@ag.state.mn.us	Office of the Attorney General-DOC	1800 BRM Tower 445 Minnesota St St. Paul, MN 551012134	Electronic Service	Yes	OFF_SL_15-761_M-15-761
Linda	Chavez	linda.chavez@state.mn.us	Department of Commerce	85 7th Place E Ste 500 Saint Paul, MN 55101-2198	Electronic Service	No	OFF_SL_15-761_M-15-761
Pete	Eggimann	PEGGIMANN@MN-MESB.ORG	Metropolitan Emergency Services Board	2099 University Ave W Ste 201 St. Paul, MN 551043431	Electronic Service	No	OFF_SL_15-761_M-15-761
Andrew	Isar	aisar@millerisar.com	Miller Isar, Inc.	4423 Point Fosdick Drive NW Gig Harbor, WA 98335	Electronic Service	No	OFF_SL_15-761_M-15-761
John	Lindell	agorud.ecf@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012130	Electronic Service	Yes	OFF_SL_15-761_M-15-761
Jerry	Nussbaum	preferred@aol.com	Preferred Long Distance, Inc.	Suite 350 16830 Ventura Boulevard Encino, CA 91436	Electronic Service	No	OFF_SL_15-761_M-15-761
Dana	Wahlberg	dana.wahlberg@state.mn.us	Department of Public Safety	Town Square Ste 137 444 Cedar St St. Paul, MN 551015126	Electronic Service	No	OFF_SL_15-761_M-15-761
Daniel P	Wolf	dan.wolf@state.mn.us	Public Utilities Commission	121 7th Place East Suite 350 St. Paul, MN 551012147	Electronic Service	Yes	OFF_SL_15-761_M-15-761