

February 25, 2019

Daniel P. Wolf  
Executive Secretary  
Minnesota Public Utilities Commission  
121 7th Place East, Suite 350  
St. Paul, Minnesota 55101-2147

RE: Comments of the Minnesota Department of Commerce  
Docket No. P6157/RV-18-535  
In the Matter of the Revocation of American Phone Services Corp.'s Certificate of Authority.

Dear Mr. Wolf:

The Department of Commerce (Department) has reviewed and analyzed the current filing. Attached is the Department's checklist for processing revocation dockets. The checklist reflects the Department's analysis of the issues relating to the requirements of Minnesota law and the Commission's rules to support the revocation.

American Phone Service Corp. originally received long distance authority in Docket No. P6157/NA-02-1309 on August 16, 2002.

*The docket was opened on:* August 16, 2018

*The carrier's last known address:*

Ricardo Ferranti  
American Phone Services Corp.  
308 Maxwell Rd, Ste 100  
Alpharetta, GA 30009-2062

Minnesota Statutes §237.16, subd. 5 states in part, "any certificate of authority may, after notice of hearing and a hearing, be revoked or temporarily suspended, in whole or in part, for: ...failure to meet the terms and conditions of its certificate..."

*Recommended Action:* Revocation of American Phone Services Corp.'s Certificate of Authority

*Conditions of Revocation:* None

Daniel P. Wolf  
February 25, 2019  
Page 2

The Department intends to petition the Commission to require that all carriers discontinue their services to the carrier pursuant to Minn. Stat. 237.121 (a) (6). For administrative efficiency, this petition will be filed at a future time with other carriers that have recently relinquished their authority or have recently had their authority revoked. A separate docket number will be assigned to that petition. Affected carriers should be placed on inactive status on the Commission's Master Contact List pending final discontinuance.

Sincerely,

/s/ BRUCE L. LINSCHIED  
Financial Analyst

BLL/ja  
Attachment

**CHECKLIST FOR PROCESSING STANDARD REVOCATIONS OF  
CERTIFICATES OF AUTHORITY**

**I. TYPE OF CERTIFICATION**

- A. Local Exchange Certificate of Authority (Docket No. \_\_\_\_\_)
- B. Long Distance Certificate of Authority Association Administrators,, Inc. (Carrier) obtained operational long distance certification in Docket No. 6157/NA-02-1309, August 16, 2002.
- C. Local Niche Certificate of Authority (Docket No. \_\_\_\_\_)

**II. REVOCATION PROCESSES THAT APPLY ALL CERTIFICATES**

- A. Carrier's last known address is no longer valid. 308 Maxwell Rd, Ste. 100, Alpharetta, GA 30009-2062
  - B. Carrier's last known telephone numbers are no longer in service. 770-569-1213- On October 25 and December 11, 2018, Carrier was unresponsive to attempted phone conversation.
  - C. Carrier cannot be reached electronically (electronic mail or internet). The Department submitted an email on August 17, 2018 inquiring about the Carrier's operating status, as well as the status of the Carrier's customers to which no response was made.
  - D. Carrier filed its last annual report in 2016. Carrier reported declining revenues during the period 2005 through 2016 with 2016 revenues being \$211.00.
  - E. The Minnesota Secretary of State's records show that the carrier no longer holds a certificate to do business in Minnesota. The Minnesota Secretary of State's website does not show Secretary of State registration for the Carrier.
  - F. The Commission's Consumer Affairs Office (CAO) complaint records do not indicate that the carrier continues to provide service in Minnesota. The Commission's Consumer Affairs Office confirms that no complaints have been filed against the Carrier.
  - G. Any assessments or fees unpaid to the Department, Commission, Metropolitan 911 Board, or Department of Public Safety remain the responsibility of the carrier. The Department's accounting staff reports that the Carrier has no unpaid assessments.
- Company is current with filing annual reports.
- Intrastate jurisdictional revenue would be needed to enable assessment for the following past years:

- Annual reports for past years should be pursued:  
 Yes  No

Intrastate jurisdictional revenue will need to be filed by May 1 of the following year if company had intrastate revenues in current year, and regulatory assessment should be pursued:

- Yes  No Carrier's Minnesota intrastate revenues are not expected to be higher than the \$5,000 per year threshold wherewith assessments regulatory assessments are made as per Minn. Stat. § 237.295.

- H. The docket history of this company has been checked to verify that the authority of the company has not been addressed within an acquisition docket. If the revocation was addressed within an acquisition docket, a separate revocation docket may not be required. No ultimate change in ownership or operating status of the Carrier occurred.

- I. Other:

### III. REVOCATION PROCESSES THAT APPLY ONLY TO LOCAL CERTIFICATES

- A. The carrier's 911 plan, filed in Docket No. \_\_\_\_\_ should be cancelled. If the carrier has filed a 911 plan and has operational or conditional authority to provide local services, the Minnesota Department of Public Safety, and, if applicable, the Metropolitan 911 Board, will be notified of this recommendation by being placed on the service list for this docket.
- B. Any Incumbent Local Exchange Carriers (ILECs) that have interconnection agreements with the carrier should be notified that the carrier no longer has authority to provide telecommunications services in Minnesota and services should no longer be offered under its interconnection agreement(s). The parties to those interconnection agreements have been notified of this recommendation by being placed on the service list in this docket.
- C. If the carrier has either filed a 911 plan or has been an operational provider of local services, the 911 system integrator, if known, will be notified of the revocation of the carrier's certificate of authority by being placed on the service list for this docket. Qwest is the 911 system integrator for the metropolitan area.
- D. For facilities-based carriers, the North American Numbering Plan Administrator (NANPA) should be notified of the relinquishment of the carrier's certificate of authority so that any NXX blocks assigned to the carrier may be returned to NANPA. \_\_\_\_\_  
 NANPA has been added to the service list for this docket. \_\_\_\_\_  
 NANPA has not been added to the service list for this docket. Explain:  
  
 Carrier did not have facilities-based authority. \_\_\_\_\_
- E. For competitive local exchange carriers, the Universal Service Administrative Company (USAC) has been notified of the revocation, so they can discontinue paying funds to the affected carrier.

- USAC has been added to the service list for this docket. <sup>1</sup> \_\_\_\_\_  
 USAC has not been added to the service list for this docket. Explain:

F. Other issues (specify):

**IV. RECOMMENDATION OF THE DEPARTMENT**

- A. Revoke the carrier's authority.
- B. Revoke the carrier's authority subject to the following:
- C. Inactivate carrier from the Commission's Master Contact List until a Disconnection Order is issued.

/ja

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<sup>1</sup> When handling relinquishments or revocation dockets, the Department analyst should check to see whether the affected carrier is on the list of high cost low income companies by going to [www.usac.org](http://www.usac.org) and clicking the blue tab entitled "high cost." Next click on "disbursement data search" under "high cost tools" in the left hand column and type "MN" into the box marked "State." The address of this page is <http://www.usac.org/hc/tools/disbursements/default.aspx>. Check the list of low income companies for all names that the affected carrier has ever used. If the affected carrier is on the USAC list, then send the Department comments to Karen at USAC. Otherwise, send the Department comments to Legal at USAC.