

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

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In the Matter of )

Section 63.71 Application of )  
**Avaya Cloud, Inc.** )

For Authority Pursuant to Section 214 of )  
the Communications Act of 1934, as )  
amended, to Discontinue the Provision of )  
Powered by Avaya IP Office Products )

WC Docket No. \_\_\_\_\_

**SECTION 63.71 APPLICATION  
OF AVAYA CLOUD, INC.**

Avaya Cloud, Inc. ("Applicant") seeks authorization pursuant to Section 214(a) of the Communications Act of 1934, as amended, 47 U.S.C. § 214(a), and Section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to grandfather and discontinue the sale of hosted Avaya OneCloud IX Workplace in all states and jurisdictions where the service is offered. Applicant will continue to provide hosted Avaya OneCloud IX Workplace product to customers currently under contract through the duration of their respective contract terms and will continue to offer for sale on-premise Avaya OneCloud IX Workplace services.

Subject to Commission authorization, Applicant plans to grandfather these services on or after March 31, 2020, prohibiting new customers from ordering these services. Modifications in service offerings for customers with existing contracts are subject to the terms of their contracts. Applicant plans to discontinue these services completely after the expiration of all existing contracts. Customers will be able to obtain alternative services and products from Avaya Cloud or other providers that perform the same functions as these services.

Applicant submits the following information pursuant to Section 63.71 of the Commission's rules:

**1. Name and Address of the Carrier**

Avaya Cloud, Inc.  
211 Mt. Airy Road  
Basking Ridge, NJ 07920

**2. Date of Planned Service Discontinuance**

As of March 31, 2020, or as soon thereafter as the necessary regulatory approvals can be obtained, Applicant will no longer offer its hosted Avaya OneCloud IX Workplace product to new customers or accept new orders from existing customers (except to the extent such orders are permitted by contract). Applicant is working with customers with contracts for the affected services to transition them to alternative services after their contracts expire.

**3. Points of Geographic Areas of Service Affected**

Subject to the Commission's Authorization, Applicant will discontinue the provision of its Avaya OneCloud IX Workplace product in all 50 states and the District of Columbia.

**4. Description of Services Affected**

Applicant's Avaya OneCloud IX Workplace product is a Voice over Internet Protocol (VoIP) service that allows for cloud-based unified communication services, including voice and data services, collaboration tools, and other advanced call features.

**5. Brief Description of the Dates and Methods of Notice to All Affected Customers**

Customers that are currently subscribed to the affected services were provided notice on or before January 7, 2020. Copies of the notifications are attached to this application as Attachment A.

Also, on March 26, 2020, Applicant sent copies of this Application via electronic mail or First Class Mail to the public utility commission and to the Governor of each affected state, federally-recognized tribal nations in each state, and the Secretary of Defense, Attention Special Assistant for Telecommunications, as required by Section 63.71(a) of the Commission's rules.

**6. Whether the Carrier is Considered Dominant or Non-dominant with Respect to the Service to be Discontinued**

Applicant is considered non-dominant with respect to the services to be discontinued.

**CONCLUSION**

The public convenience and necessity will not be adversely affected by the discontinuance of the services described herein. Advanced notice has been provided to all affected customers who will continue to receive services under the existing contracts through the contract term. Customers have also been given ample time to arrange substitute services, which are already available in the marketplace, upon expiration of their existing contracts. Therefore, Applicant respectfully requests that the Commission approve this Section 63.71 application.

Respectfully submitted,

**AVAYA CLOUD, INC**

By: /s/  
Michael P. Donahue  
Marashlian & Donahue, PLLC  
The CommLaw Group  
1420 Spring Hill Road, Suite 401  
Tysons, Virginia 22102  
703-714-1319  
[mpd@CommLawGroup.com](mailto:mpd@CommLawGroup.com)

Dated: March 26, 2020

**Attachment A**



# End of Sale Notice

**Notification Date: 7-January-2020**

**Revision Date: N/A**

**Effective Date: 31-March-2020**

**Subject: End of Sale Avaya OneCloud IX Workplace**

**Theatre/Region: United States**

## Revision History

Revision Date	Reason for change
7-January-2020	Initial Release

## Summary

Avaya recently announced a strategic partnership with RingCentral, which will accelerate our customers' journey to the cloud with a truly differentiated world-class UCaaS solution, Avaya Cloud Office powered by RingCentral (Avaya Cloud Office).

Avaya Cloud Office is targeted to launch in the United States in calendar Q1 2020 and the Avaya OneCloud IX Workplace End of Sale (EOS) will align with this launch. On March 31, 2020 Avaya will no longer make the Avaya OneCloud IX Workplace offer commercially available.

Existing Avaya OneCloud IX Workplace customer contracts remain unchanged, can continue to be expanded, and continue to be entitled for Avaya support through the contract term, giving agents and customers time to make any necessary transitions.

## Schedule

End of Sale Date (last day to order new systems)-US	31-March-2020
Last day for Renewals	31-March-2020
Last day to purchase system expansions-available only for length of current contract term	Last day of Avaya OneCloud IX Workplace contract term
End of Manufacturer Support for software	Last day of Avaya OneCloud IX Workplace contract term
Targeted End of Services Support	Last day of Avaya OneCloud IX Workplace contract term



## **Migration Strategy**

### **System Expansion post-End of Sale**

New system sales will end on March 31, 2020. Although Avaya OneCloud IX Workplace is being discontinued, existing contracts remain unchanged, can continue to be expanded, and continue to be entitled for Avaya support through the contract term, giving Avaya OneCloud IX Workplace customers time to make any necessary transitions.

### **Migration Strategy**

Avaya will offer the Avaya Cloud Office solution, expected to launch in the US in March, 2020 with additional country roll-outs anticipated throughout 2020.

The Avaya Cloud Office offer comes with special benefits for Partners as part of the existing Avaya Edge program and it is Avaya's intention to offer migration programs for existing Avaya OneCloud IX Workplace customers to smooth their transition to Avaya Cloud Office.

More information on Avaya Cloud Office migration tools and programs will be provided as part of the Avaya Cloud Office launch process.

## **Service and Warranty**

Avaya will continue to honor previously executed enhanced warranty, post-warranty and service contracts in accordance with the terms of those agreements. Avaya is not responsible for any support or maintenance commitments made by Business Partners or other service providers.

## **Additional Information**

Avaya website:

<http://www.avaya.com>

Avaya OneCloud IX Workplace website:

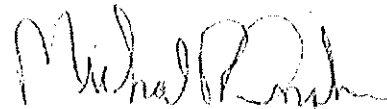
<http://www.avaya.com/en/products/cloud/small-business-solutions/ix-workplace>

CERTIFICATE OF SERVICE

I, Michael Donahue, do hereby certify that I have caused the foregoing **SECTION 63.71**

**APPLICATION** to be:

- 1) Filed with the Secretary of the FCC via ECFS;
- 2) Served via first-class U.S. Mail, postage prepaid, on the Governors of the States listed on the attached service list;
- 3) Served via first-class U.S. Mail, postage prepaid, on the Public Utility Commissions listed on the attached service list;
- 4) Served via first-class U.S. Mail, postage prepaid, or via email on the Regulatory Authority for the Tribal Nations listed on the attached services list; and
- 5) Served via first-class U.S. Mail, postage prepaid, on the Special Assistant for Telecommunications under the Secretary of Defense<sup>1</sup>.



Michael Donahue

Date: March 26, 2020

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<sup>1</sup> Section 63.71(a) directs applicants to submit a copy of the application to the Secretary of Defense, Special Assistant for Telecommunications. However, due to restructuring within the Department of Defense, the position no longer exists. Commission staff has advised that a copy of the application be sent instead to the Department of Defense Chief Information Officer.

Kay Ivey  
Office of the Governor 600  
Dexter Avenue  
Montgomery, AL 36130

Alabama Public Service Commission  
P. O. Box 304260  
Montgomery, AL 36130-4260

Doug Ducey  
Office of the Governor  
Executive Tower  
1700 West Washington  
Street  
Phoenix, AZ 85007

Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, AZ 85007-2996

Asa Hutchison  
Office of the Governor  
500 Woodlane Street Little  
Rock, AR 72201

Arkansas Public Service Commission  
P. O. Box400  
Little Rock, AR 72203-0400

Gavin Newsom  
Office of the Governor c/o  
State Capitol Suite 1173  
Sacramento, CA 95814

California Public Utilities Commission  
California State Building  
505 Van Ness Avenue  
San Francisco, CA 94102-3298

Jared Polis  
Office of the Governor  
136 State Capitol  
Denver, CO 80203-1792

Colorado Public Utilities Commission  
Suite 250  
1560 Broadway  
Denver, CO 80202

Ned Lamont  
Office of the Governor State  
Capitol  
210 Capitol Avenue  
Hartford, CT 06106

Connecticut Public Utilities Regulatory  
Authority  
10 Franklin Square  
New Britain, CT 06051

Muriel Bowser  
Executive Office of the Mayor of  
the District of Columbia  
1350 Pennsylvania Avenue, N.W.  
Suite 316  
Washington, DC 20004

District of Columbia Public Service Commission  
1325 G Street, N.W. Suite 800  
Washington, DC 20005

Ron DeSantis Office of  
Governor The Capitol  
400 S. Monroe St.  
Tallahassee, FL

32399  
Florida Public Service Commission 2540 Shumard Oak  
Blvd.  
Tallahassee, FL 32399-0850



Brian Kemp  
Office of the  
Governor 206  
Washington Street  
111 State Capitol

Atlanta, GA 30334  
Georgia Public Service Commission 244 Washington  
Street, SW  
Atlanta, GA 30334-9052

Brad Little  
Office of the  
Governor State  
Capitol  
P. O. Box 83720  
Boise, ID 83720

Idaho Public Utilities Commission P. O. Box 83720  
Boise, ID 83720-0074

J.B. Pritzker  
Office of the  
Governor 207 State  
House  
Springfield, IL 62706

Illinois Commerce Commission  
Suite C-800  
160 North LaSalle Street  
Chicago, IL 60601

Eric Holcomb  
Office of the Governor  
Statehouse  
Indianapolis, IN 46204-  
2797

Indiana Utility Regulatory Commission PNC Center  
Suite 1500 E  
101 West Washington Street  
Indianapolis, IN 46204

Laura Kelly  
Office of the Governor Capitol  
300 SW 10th Avenue, Suite  
241S Topeka, KS 66612-1590

Kansas Corporation Commission  
1500 SW Arrowhead Road  
Topeka, KS 66604-4027

Matt Bevin  
Office of the Governor  
700 Capitol Avenue, Suite 100  
Frankfort, KY 40601

Kentucky Public Service Commission  
P. O. Box 615  
211 Sower Boulevard  
Frankfort, KY 40602-0615

John Bel Edwards Office  
of the Governor P. O.  
Box 94004  
Baton Rouge, LA 70804

Louisiana Public Service Commission P.  
O. Box 91154  
Baton Rouge, LA 70821-9154

Larry Hogan Office of the  
Governor  
100 State Circle  
Annapolis, MD 21401-1925

Maryland Public Service Commission 16th  
Floor  
6 St. Paul Street  
Baltimore, MD 21202-6806

Gretchen Whitmer  
Officer of the Governor  
P. O. Box 30013  
Lansing, MI 48909

Michigan Public Service Commission P.  
O. Box 30221  
Lansing, MI 48909

Tim Walz  
Office of the Governor  
116 Veterans Service Building 20  
W. 12th Street  
St. Paul, MN 55155

Minnesota Public Utilities Commission 121  
7th Place East  
Suite 350  
St. Paul, MN 55101-2147

Mike Parson  
Office of the Governor  
P. O. Box 720  
Jefferson City, MO 65102

Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102-0360

Pete Ricketts  
Office of the Governor  
Lincoln Office/State Capitol  
P. O. Box 94848  
Lincoln, NE 68509-4848

Nebraska Public Service Commission Suite  
300  
1200 N Street  
Lincoln, NE 68508

Steve Sisolak  
Office of the Governor  
State Capitol Building 101  
N. Carson Street Carson  
City, NV 89701

Public Utilities Commission of Nevada 1150 E.  
William Street  
Carson City, NV 89701-3109

Phil Murphy  
Office of the Governor  
P. O. Box 001 Trenton,  
NJ 08625

New Jersey Board of Public Utilities 44 S.  
Clinton Avenue  
Trenton, NJ 08625

Michelle Lujan Grisham Office of  
the Governor  
490 Old Santa Fe Trail, Room 400  
Santa Fe, NM 87501

New Mexico Public Regulation Commission Attn:  
Mr. Mike Ripperger  
1120 Paseo de Peralta P.  
O. Box 1269  
Santa Fe, NM 87504

Andrew M. Cuomo Office of  
the Governor  
NYS State Capitol Building  
Albany, NY 12224

New York State Public Service Commission  
Empire State Plaza  
Agency Building 3 Albany,  
NY 12223-1350

Roy Cooper  
Office of the Governor 20301  
Mail Service Center Raleigh,  
NC 27699-0301

North Carolina Utilities Commission 4325  
Mail Service Center  
Raleigh, NC 27699-4300

Mike DeWine  
Office of the Governor  
Riffe Center, 30th Floor  
77 South High Street  
Columbus, OH 43215-6117

Public Utilities Commission of Ohio 180  
East Broad Street  
Columbus, OH 43215

Kate Brown  
Office of the Governor  
900 Court Street, NE  
Suite 160  
Salem, OR 97301

Public Utility Commission of Oregon P.  
O. Box 1088  
Salem, OR 97308-1088

Tom Wolf  
Office of the Governor  
508 Main Capitol Building  
Harrisburg, PA 17120

Pennsylvania Public Utility Commission P.  
O. Box 3265  
Harrisburg, PA 17105-3265

Henry McMaster Office  
of the Governor 1205  
Pendleton Street  
Columbia, SC 29201

Public Service Commission of South  
Carolina  
101 Executive Center Drive Suite  
100  
Columbia, SC 29210

Bill Lee  
Office of the Governor  
State Capitol, 1st Floor  
Nashville, TN 37243

Tennessee Regulatory Authority  
502 Deaderick Street, 4th Floor  
Nashville, TN 37243

Greg Abbott  
Office of the Governor P.  
O. Box 12428  
Austin, TX 78711-2428

Public Utility Commission of Texas 1701 N.  
Congress Avenue  
P. O. Box 13326  
Austin, TX 78711-3326

Ralph Northam  
Office of the Governor P.  
O. Box 1475  
Richmond, VA 23218

Virginia State Corporation Commission P. O.  
Box 1197  
Richmond, VA 23218

Jay Inslee  
Office of the Governor  
PO. Box 40002  
Olympia, WA 98504-0002

Washington Utilities and Transportation  
Commission  
P. O. Box 47250  
Olympia, WA 98504-7250

Tony Evers  
Office of the Governor  
115 East Capitol  
Madison, WI 53702

Public Service Commission of Wisconsin P.  
O. Box 7854  
Madison, WI 53707-7854

Phil Bryant  
Office of the Governor  
P. O. Box 139 Jackson,  
MS 39205

Mississippi Public Service Commission 501  
N. West Street, Suite 201A Woolfolk  
Building  
Jackson, MS 39201-1174

Gary Herbert  
Office of the Governor  
350 North State Street, Suite 200  
P. O. Box 142220  
Salt Lake City, UT 84114-2220

Public Service Commission of Utah Heber  
M. Wells Building  
160 East 300 South  
Salt Lake City, UT 84111

Minnesota Chippewa Tribe - Grand Portage Band  
Beth Drost PO Box  
428  
Grand Portage MN 55606

Prairie Island Indian Community in the State of  
Minnesota  
Daniel Derudder Blank  
Johnson  
5636 Sturgeon Lake Rd. Welch MN  
55089

Puyallup Tribe of the Puyallup Reservation Angel  
Robertiello  
3009 E. Portland Ave. Tacoma WA  
98404-4926

Shakopee Mdewakanton Sioux Community of  
Minnesota  
Dawn Blanchard 2330 Sioux  
Trail NW  
Prior Lake MN 55372

Department of Defense Chief  
Information Officer Pentagon  
Washington, DC 20301

Quechan Tribe of the Fort Yuma Indian Reservation Tohono  
O'odham Nation of Arizona  
Tonto Apache Tribe of Arizona  
Yavapai-Apache Nation of the Camp Verde Indian Reservation  
Yavapai-Prescott Indian Tribe  
Nez Perce Tribe  
Seminole Tribe of Florida (Big Cypress and Brighton Reservations)  
Shoshone-Bannock Tribes of the Fort Hall Reservation

[executivesecretary@quechantribe.com](mailto:executivesecretary@quechantribe.com);  
[edwardd.manuel@tonation-nsn.gov](mailto:edwardd.manuel@tonation-nsn.gov);  
[jdecola@tontoapache.org](mailto:jdecola@tontoapache.org);  
[jrussell-winiecki@yan-tribe.org](mailto:jrussell-winiecki@yan-tribe.org);  
[ejones@ypit.com](mailto:ejones@ypit.com); [nptec@nezperce.org](mailto:nptec@nezperce.org);  
[Chairman@semtribe.com](mailto:Chairman@semtribe.com);  
[nsmall@sbtribes.com](mailto:nsmall@sbtribes.com);

Southern Ute Indian Tribe of the Southern Ute Reservation, CO Ute Mountain Ute Tribe  
Coushatta Tribe of Louisiana  
Grand Traverse Band of Ottawa and Chippewa Indians, Michigan  
Iowa Tribe of Kansas and Nebraska  
Jena Band of Choctaw Indians  
Kickapoo Tribe of Indians of the Kickapoo Reservation in Kansas

Prairie Band Potawatomi Nation  
Sac and Fox Nation of Missouri in Kansas and Nebraska  
Sault Ste. Marie Tribe of Chippewa Indians, Michigan  
Tunica-Biloxi Indian Tribe  
Lower Sioux Indian Community in the State of Minnesota  
Minnesota Chippewa Tribe - Bois Forte Band (Nett Lake)  
Minnesota Chippewa Tribe - Fond du Lac Band Minnesota Chippewa Tribe - Grand Portage Band Minnesota Chippewa Tribe - Leech Lake Band

Minnesota Chippewa Tribe - Mille Lacs Band Minnesota Chippewa Tribe - White Earth Band  
Minnesota Chippewa Tribe, Minnesota (Bois Forte Band (Nett Lake); Fond du Lac Band; Grand Portage Band; Leech Lake Band; Mille Lacs Band; White Earth Band)  
Prairie Island Indian Community in the State of Minnesota

Red Lake Band of Chippewa Indians  
Shakopee Mdewakanton Sioux Community of Minnesota  
Upper Sioux Community, Minnesota  
Omaha Tribe of Nebraska  
Winnebago Tribe of Nebraska  
Kewa Pueblo, New Mexico (Pueblo of Santo Domingo)  
Pueblo of Acoma, New Mexico  
Pueblo of Cochiti, New Mexico  
Pueblo of Isleta, New Mexico Pueblo of Nambe, New Mexico Pueblo of Picuris, New Mexico Pueblo of Pojoaque, New Mexico Pueblo of San Felipe, New Mexico  
Pueblo of San Ildefonso, New Mexico Pueblo of Sandia, New Mexico  
Pueblo of Santa Ana, New Mexico  
Pueblo of Taos, New Mexico Pueblo of Tesuque, New Mexico Pueblo of Zia, New Mexico Coquille Indian Tribe  
Cow Creek Band of Umpqua Tribe of Indians  
Gila River Indian Community of the Gila River Indian Reservation

efrost@southernute-nsn.gov;  
hcuthair@utemountain.org;  
triciaponcho@coushattatribela.org;  
Thurlow.McClellan@gtbindians.com;  
trhodd@iowas.org;  
Chief@jenachoctaw.org;  
bwhitewater@yahoo.com;  
Lester.Randall@ktik-nsn.gov;  
Liana@pbpnation.org;  
chief@sacandfoxnation-nsn.gov;  
aaronpayment@saulttribe.net;  
msampson@paragoncasinoresort.com;  
robert.larsen@lowersioux.com;  
Catherine.Chavers@boisforte-nsn.gov;  
kevindupuis@fdlrez.com;  
norman@grandportage.com;  
Faron.Jackson@llojibwe.org;  
burt.howard@llbo.org;  
melanie.benjamin@millelacsband.com;  
terrence.tibbetts@whiteearth-nsn.gov;  
gfrazier@mnchippewatribe.org;

daniel.derudder@piic.org;  
blake.johnson@piic.org;  
dseki@redlakenation.org;  
dawn.blanchard@shakopeedakota.org;  
kevinj@uppersiouxcommunity-nsn.gov;  
isaac.sherman@omahatribe.com;  
frank.white@winnebagotribe.com;  
bquintana@kewa-nsn.us;  
governor@puebloofacoma.org;  
governor@pueblodecochiti.org;  
Poigov@isletapueblo.com;  
governor@nambepueblo.org;  
governor@picurispueblo.org;  
LEdwards@pojoaque.org;  
ssandoval@sfpueblo.com;  
governor@sanipueblo.org;  
snmontoya@sandiapueblo.nsn.us;  
governors@santaana-nsn.gov;  
governor@taospueblo.com;  
cquintana@pueblooftesuque.org;  
tammylpino@yahoo.com;  
brendameade@coquilletribe.org;  
vpense@cowcreek.com;  
executive.mail@gric.nsn.us;

Lower Brule Sioux Tribe of the Lower Brule Reservation, SD  
Bums Paiute Tribe  
Confederated Tribes of Warm Springs  
Confederated Tribes of the Grand Ronde Community of Oregon  
Confederated Tribes of Siletz Indians of Oregon  
Confederated Tribes of the Umatilla Indian Reservation  
Klamath Tribes  
Las Vegas Tribe of Paiute Indians of the Las Vegas Indian Colony  
Shoshone-Paiute Tribes of the Duck Valley Reservation  
Confederated Tribes and Bands of the Yakama Nation  
Confederated Tribes of the Chehalis Reservation  
Confederated Tribes of the Colville Reservation  
Cowlitz Indian Tribe  
Hoh Indian Tribe  
Jamestown S'Klallam Tribe  
Lower Elwha Tribal Community  
Lummi Tribe of the Lummi Reservation  
Makah Indian Tribe of the Makah Indian Reservation  
Muckleshoot Indian Tribe  
Nisqually Indian Tribe  
Port Gamble S'klallam Tribe  
Puyallup Tribe of the Puyallup Reservation  
Quileute Tribe of the Quileute Reservation  
Quinault Indian Nation  
Skokomish Indian Tribe  
Snoqualmie Indian Tribe  
Spokane Tribe of the Spokane Reservation  
Squaxin Island Tribe of the Squaxin Island Reservation  
Suquamish Indian Tribe of the Port Madison Reservation  
Confederated Tribes of the Colville Reservation  
Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Wisconsin  
Forest County Potawatomi Community, Wisconsin  
Ho-Chunk Nation of Wisconsin  
Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin  
Lac du Flambeau Band of Lake Superior Chippewa Indians of the Lac du Flambeau Reservation of Wisconsin  
Oneida Nation  
Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin  
St. Croix Chippewa Indians of Wisconsin  
Paiute Indian Tribe of Utah (Cedar Band of Paiutes, Kanosh Band of Paiutes, Koosharem Band of Paiutes, Indian Peaks Band of Paiutes, and Shivwits Band of Paiutes)

[Chairman@lbst.org](mailto:Chairman@lbst.org);  
[Eric.hawley@bumspaiute-nsn.gov](mailto:Eric.hawley@bumspaiute-nsn.gov);  
[lynn.davis@wstribes.org](mailto:lynn.davis@wstribes.org);  
[cheryle.kennedy@grandronde.org](mailto:cheryle.kennedy@grandronde.org);

[dpigsley@msn.com](mailto:dpigsley@msn.com); [BrendaB@ctsi.nsn.us](mailto:BrendaB@ctsi.nsn.us);

[garyburke@ctuir.org](mailto:garyburke@ctuir.org); [margaritebecenti@ctuir.org](mailto:margaritebecenti@ctuir.org);  
[don.gentry@klamathtribes.com](mailto:don.gentry@klamathtribes.com);  
[btso@lvpaiute.com](mailto:btso@lvpaiute.com);  
[howard.tedl@shopai.org](mailto:howard.tedl@shopai.org);  
[JoDe@yakama.com](mailto:JoDe@yakama.com);  
[chairman@chehalistribe.org](mailto:chairman@chehalistribe.org); [wiyall@cowlitz.org](mailto:wiyall@cowlitz.org);  
[Bernard.Afterbuffalo@hohtribe-nsn.org](mailto:Bernard.Afterbuffalo@hohtribe-nsn.org);  
[rallen@jamestowntribe.org](mailto:rallen@jamestowntribe.org); [fgcharles@elwha.org](mailto:fgcharles@elwha.org);  
[Stan.Choate@CenturyLink.com](mailto:Stan.Choate@CenturyLink.com);  
[brittany.olson@makah.com](mailto:brittany.olson@makah.com);  
[virginia.cross@muckleshoot.nsn.us](mailto:virginia.cross@muckleshoot.nsn.us);  
[choke.ken@nisqually-nsn.gov](mailto:choke.ken@nisqually-nsn.gov);  
[dwellman@pgst.nsn.us](mailto:dwellman@pgst.nsn.us);  
[angel.robertiello@puyalluptribe.com](mailto:angel.robertiello@puyalluptribe.com);  
[renee.woodruff@quileutetribe.com](mailto:renee.woodruff@quileutetribe.com) ;  
[fsharp@quinault.org](mailto:fsharp@quinault.org); [gmler@skokomish.org](mailto:gmler@skokomish.org);  
[Jaime.Martin@snoqualmietribe.us](mailto:Jaime.Martin@snoqualmietribe.us);  
[carole@spokanetribe.com](mailto:carole@spokanetribe.com); [acooper@squaxin.us](mailto:acooper@squaxin.us);  
[lforsman@suquamish.nsn.us](mailto:lforsman@suquamish.nsn.us);  
[neeka.somday@colvilletribes.com](mailto:neeka.somday@colvilletribes.com);  
[MikeW@badriver-nsn.gov](mailto:MikeW@badriver-nsn.gov);

[Ned.DanielsJr@fcpotawatomi-nsn.gov](mailto:Ned.DanielsJr@fcpotawatomi-nsn.gov); [wilfrid.cleveland@ho-chunk.com](mailto:wilfrid.cleveland@ho-chunk.com); [louis.taylor@lco-nsn.gov](mailto:louis.taylor@lco-nsn.gov);

[jwildcatsr@ldftribe.com](mailto:jwildcatsr@ldftribe.com);

[thill7@oneidanation.org](mailto:thill7@oneidanation.org);  
[Richard.Peterson@redcliff-nsn.gov](mailto:Richard.Peterson@redcliff-nsn.gov);

[LewisT@stcroixtribalcenter.com](mailto:LewisT@stcroixtribalcenter.com)  
[sparashonts@utahpaiutes.org](mailto:sparashonts@utahpaiutes.org)