# **Morgan Lewis**

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March 27, 2017

#### **VIA E-FILING**

Oregon Public Utility Commission 201 High St SE, Suite 100 Salem, Oregon 97301 Attn: Filing Center

Re: Docket No. CP 1540

Notification of ANPI Business, LLC Regarding the Planned Discontinuance of Residential Long Distance Services

Dear Sir or Madam:

On behalf of ANPI-Business, LLC ("ANPI-Biz" or the "Company"), this Notification is being provided pursuant to OAR 860-032-0020(5) in connection with the planned discontinuance of residential long distance services, including but not limited to 1+, MTS, and toll free services. Concurrently with this Notification, the Company is filing a Petition to Waive the Notification Time Periods of OAR 860-032-0020(11) (the "Petition to Waive").

ANPI-Biz provides the following information required by OAR 860-032-0020(5):

### (5)(a) Name of Exiting Provider:

The exiting provider is ANPI Business, LLC, a Delaware limited liability company. ANPI-Biz provides wholesale and retail interexchange service throughout the U.S., and is authorized to provide competitive local exchange service in a limited number of states. In Oregon, ANPI-BIZ is a competitive provider of intraexchange (local exchange) and interexchange switched and non-switched, private line services pursuant to Order No. 12-434 issued in CP 1540.<sup>2</sup> ANPI-Biz is also authorized by the FCC to provide interstate and international telecommunications services.

A service copy of the *Section 63.71 Application of ANPI Business, LLC* as filed with the FCC was placed in Commission Docket No. RT 2 on March 21, 2017.

The authorization was granted to Zone Telecom, LLC, which changed its name to ANPI Business, LLC in 2012.

# (5) (b) Address and telephone number where the public, customers, Commission staff, and affected telecommunications providers may contact the exiting provider for information regarding the abandonment:

ANPI Business, LLC 2300 Berkshire Lane North, Suite 4 Minneapolis, MN 55441

The public and customers may contact the Company at <u>care@voyant.com</u> or 1-800-262-9043 regarding the discontinuance.

Questions or any correspondence or other materials pertaining to this filing should be directed to the Company's counsel:

Russell M. Blau Brett P. Ferenchak Morgan, Lewis & Bockius LLP 1111 Pennsylvania Ave, N.W. Washington, DC 20004

Tel: 202-739-3000 Fax: 202-739-3001

russell.blau@morganlewis.com brett.ferenchak@morganlewis.com

### (5)(c) Description of telecommunications services to be abandoned:

ANPI-Biz intends to discontinue all residential long distance services, including but not limited to 1+, MTS and Toll Free services. Since some small businesses may receive the affected residential long distance product, the discontinuance may also affect certain small businesses customers. ANPI-Biz will continue to provide other interexchange and local exchange services to other non-residential customers. Therefore, the Company does not seek to cancel its authority granted in CP 1540.

#### (5)(d) Identification of geographic areas where the services will be abandoned:

ANPI-Biz intends to discontinue all residential long distance services throughout the state of Oregon.

#### (5)(e) Date the service(s) will be abandoned:

ANPI-Biz plans to discontinue providing residential long distance services as of June 1, 2017, or as soon thereafter as any regulatory approvals can be obtained. The Company's largest underlying provider, Sprint Communications Company L.P. ("Sprint"), has notified ANPI-Biz that the services that the Company uses to provide long distance services to certain of the ANPI-Biz's customers will not be available beyond June 2017. Therefore, it is critical that the Petition to Waive be approved to

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allow the Company to discontinue residential long distance services as of June 1, 2017.

(5) (f) If applicable, a statement whether customers of the services(s) to be abandoned will be converted to different service(s) offered by the exiting provider, and if so, what customers must do to be converted to the different service(s):

Not applicable. The Company does not offer other residential services that would be a substitute for the services being discontinued.

(5)(g) If applicable, a statement that all customers will be automatically transferred to a specified receiving provider unless they disconnect or obtain service from another provider. The exiting provider must identify the receiving provider to which customers will be transferred:

Not applicable. The Company has no plans to automatically transfer customers to a specified receiving provider.

(5)(h) If the exiting provider intends to transfer customers to a specified receiving competitive provider and the receiving competitive provider will not accept all customers, a statement that customers may or will lose their service unless they obtain services from a provider of their choice. The exiting provider must provide reasonable means for each customer to determine whether he or she will be accepted by the receiving competitive provider;

Not applicable. Customers will not be automatically transferred to a specified receiving provider.

(5)(i) If applicable, a statement that service will be abandoned and that customers must obtain the service(s) to be abandoned from another provider;

As stated in the Petition to Waive and above, ANPI-Biz will discontinue all residential long distance services. Affected customers must obtain long distance services from another provider.

(5)(j) An explanation of how customers may receive a refund of payments or deposits for service they will not receive because of the abandonment; and

The Company has not collected deposits from any affected customers. Any monthly recurring charges will be prorated for the last month of service based on when the affected customer notifies the Company that the customer has selected another provider. That prorated portion of the monthly recurring charges will appear as a credit on the customer's "final invoice" and refunded as needed. Usage charges are billed in arears.

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(5)(k) An electronic document containing the notice in a format suitable for posting on the Commission website. The Commission will post such notification within two business days of receipt from the exiting carrier.

This Notification is being filed electronically with the Commission. In addition, a copy of the customer notice will be sent separately in PDF format for posting on the Commission's website. A copy of the customer notice sent by first class mail on March 17, 2017, is also provided as an attachment to this Notification.

\* \* \* \* \* \*

This letter has been electronically filed with the Commission. We would appreciate acknowledgement of receipt and acceptance of this letter. Should you have any questions, please do not hesitate to contact us.

Respectfully submitted,

/s/ Brett P. Ferenchak

Russell M. Blau Brett Ferenchak

Counsel to ANPI Business, LLC

## **SAMPLE CUSTOMER NOTICE**



# NOTICE OF LONG DISTANCE SERVICES DISCONTINUANCE DO NOT DISREGARD THIS NOTICE

March 17, 2017

RE: Account #[Customer Acct # here]

Dear Customer:

We regret to inform you that ANPI Business, LLC will be discontinuing all <u>residential</u> long distance services (including such services provided to small businesses). As a result, your ANPI Business, LLC service(s), including intrastate, interstate and international long distance services, will be discontinued on or after June 1, 2017, subject to regulatory approval.

Please take action in selecting a new carrier as soon as possible to avoid any interruption of your long distance service. We urge you not to delay in arranging for a new long distance service provider, as some providers may require several days or weeks to initiate new services. To help avoid any lapses in service, please check carefully that all long distance services you currently receive from ANPI Business, LLC, along with any toll free numbers that are assigned to you, are moved to your new provider. If you are not certain of your options for obtaining replacement pre-subscribed long distance service, you should contact your local telephone service provider and ask which carriers are accepting pre-subscribed customers. You may also contact any of the service companies that provide service in your area. An Internet search for "long distance telephone service provider" in your area should provide you with several alternatives.

Please be aware that you are responsible for paying for all services provided to you by ANPI Business, LLC during the transition. You may be subject to suspension or termination of your long distance service in accordance with applicable contracts, tariffs, and rules if you fail to pay your long distance bills. So that we stop sending you invoices, please let us know as soon as you have switched to a new long distance provider by sending an email to <a href="mailto:care@voyant.com">care@voyant.com</a>.

The Federal Communications Commission ("FCC") permits customers to object to discontinuance of their service by a telecommunications provider. As provided in the FCC's rule 47 CFR 63.71:

"The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the Commission releases public notice of the proposed discontinuance. You may file your comments electronically through the FCC's Electronic Comment Filing System using the docket number established in the Commission's public notice for this proceeding, or you may address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the §63.71 Application of ANPI Business LLC. Comments should include specific information about the impact of this proposed discontinuance upon you, including any inability to acquire reasonable substitute service."

ANPI Business, LLC is pleased to have had the opportunity to serve you, and remains committed to making your long distance service transition as smooth as possible. If you have any questions regarding our discontinuance of long distance services, please contact Customer Service at 1-800-262-9043.

Sincerely yours,
ANPI Business. LLC Customer Service

### **VERIFICATION**

I, Scott Sawyer, state that I am General Counsel and Secretary of ANPI Business, LLC; that I am authorized to make this Verification on behalf of ANPI Business, LLC; that I have read the foregoing filing and know the contents thereof; and that the same are true and correct to the best of my knowledge, information and belief and are made in good faith.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 23rd day of March, 2017.

**ANPI Business, LLC** 

Docusigned by:

Swyr

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By: Scott Sawyer

Title: General Counsel and Secretary



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