

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Cancellation of the	)	
Certificate of Service Authority	)	<u>File No. LD-2020-0XXX</u>
of Talk America Services, LLC	)	

MOTION TO CANCEL CERTIFICATE OF SERVICE AUTHORITY

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and moves for the Missouri Public Service Commission (Commission) to cancel the certificates of service authority to provide interexchange and competitive local exchange services of Talk America Services, LLC, (Company) and states:

1. The Commission previously granted a certificate to the Company on November 17, 2014, to provide competitive local exchange services and intrastate interexchange service authority in Case No. LA-2015-0069.

2. The Company notified the Commission on July 15, 2019, that it wished to voluntarily relinquish its authority in a letter filed with the Commission as non-case filing BCES-2020-0035 and attached here for reference.

3. Pursuant to 4 CSR 240-28.011(3) notice shall be provided to the Commission to cancel certification(s) or registration(s) previously granted by the Commission. Notice should comply with the following requirements: (A) The company should submit written notice to the commission, as in a letter, containing the following information: (1) a statement requesting cancellation of a company's certification or registration and citing the specific certificates of service authority and/or registrations; (2) If the company also has a currently effective tariff, then the letter should also request cancellation of the tariff; (B) The letter can be signed by a company official and does not

need to be signed or filed by an attorney; and (C) The letter should be electronically filed in EFIS.

4. The Commission has the authority to cancel a telecommunications certificate pursuant to Section 392.410.5 RSMo 2000, which provides “[a]ny certificate of service authority may be altered or modified by the commission after notice and hearing, upon its own motion or upon application of the person or company affected.”

5. The Commission need not hold a hearing, if, after proper notice and opportunity to intervene, no party requests such a hearing. *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494 (Mo. App. W.D. 1989).

WHEREFORE, Staff respectfully recommends the Commission cancel the certificates of service authority to provide interexchange and competitive local exchange services of Talk America Services, LLC; and grant such other and further relief as the Commission finds just in the circumstances.

Respectfully submitted,

/s/ Whitney Payne

Whitney Payne

Senior Counsel

Missouri Bar No. 64078

Attorney for the Staff of the

Missouri Public Service Commission

P. O. Box 360

Jefferson City, MO 65102

(573) 751-8706 (Telephone)

(573) 751-9285 (Fax)

whitney.payne@psc.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, on this 25th day of July, 2019, to all counsel of record.

/s/ Whitney Payne



151 Southhall Lane, Ste 450
Maitland, FL 32751
P.O. Drawer 200
Winter Park, FL 32790-0200
www.inteserra.com

RECEIVED²

July 15, 2019
Via ETFS Filing

JUL 23 2019

*Records
Public Service Commission*

To Whom it May Concern

Pursuant to FCC Part 47, Section 63.71 of the Code of Federal Regulations, you are hereby copied on the enclosed Application to Discontinue Service submitted on behalf of Talk America Services, LLC.

Any questions you may have regarding this filing should be directed to my attention at 407-740-3031 or via email to Sthomas@inteserra.com. Thank you for your assistance in this matter.

Sincerely,

/s/ Sharon Thomas

Sharon Thomas
Consultant

Enclosures

RECEIVED²

JUL 23 2019

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

Records
Public Service Commission

In the Matter of)
Section 63.71 Application of)
Talk America Services, LLC)
to Discontinue Services)

File No. _____

Section 63.71 Application of Talk America Services, LLC

Talk America Services, LLC ("Talk America Services" or "Applicant"), hereby seeks authorization pursuant to Section 214 (a) of the Communication Act of 1934, as amended, and 47 C.F.R. §63.71, to discontinue the provision of exchange access and/or interstate long distance services in the states of Alabama, Arkansas, Idaho, Missouri, Nebraska, New Mexico, North Dakota, South Carolina, Washington and Wyoming. This proposed discontinuance will affect approximately 502 existing customers.¹

Applicant is considered a non-dominant telecommunications carrier with respect to all of its services, including those affected by the proposed discontinuance.

Talk America Services provides the following information pursuant to Section 63.71 of the Commission's rules:

1. Name and corporate headquarters address of Carrier

Talk America Services, LLC
10802 Executive Center Drive
Benton Building, Suite 300
Little Rock, AR 72211

2. Correspondence concerning this Application should be sent to:

Sharon Thomas
Consultant to Talk America Services, LLC
Inteserra Consulting Group, Inc.
151 Southhall Lane, Suite 450
Maitland, FL 32751
Telephone: 407-740-3031
Facsimile: 407-740-0613
E-Mail: stthomas@inteserra.com

¹ Talk America Services also intends to disconnect local exchange service (dial tone and local usage), digital subscriber line ("DSL") internet access, and intrastate long-distance services to some of the affected customers. These services are not subject to the FCC's Section 214 discontinuance rules and are, therefore, not included as part of this request for authorization. However, customers are being notified regarding all of the services that are to be discontinued.

3. *Date of Planned Service Discontinuance, Reduction or Impairment:*

Talk America Services proposes to discontinue the services that are the subject of this Application on or about September 1, 2019, pending required federal and state regulatory approval of the discontinuance.

4. *Points of Geographic Areas of Service Affected:*

Talk America Services proposes to discontinue all of its telecommunications services in the states of Alabama, Arkansas, Idaho, Missouri, Nebraska, New Mexico, North Dakota, South Carolina, Washington and Wyoming. Services provided to existing customers will be discontinued and services will no longer be offered to new customers following the proposed discontinuance.

5. *Brief Description of Types of Service Affected and Reason for Discontinuance:*

The table below identifies the types of telecommunications services and affected customers within each state impacted by the proposed discontinuance of service.

State	Local Exchange/Exchange Access Lines and Intrastate/Interstate Long Distance (Bundled)	Intrastate and Interstate Long Distance Only	Total Affected Customers
Alabama	10	2	12
Arkansas	35	45	80
Idaho	100	35	135
Missouri	21	17	38
Nebraska	34	13	47
New Mexico	6	6	12
North Dakota	19	8	27
South Carolina	2	36	38
Washington	11	5	16
Wyoming	94	3	97

The services subject to the FCC's jurisdiction that are the subject of this request for authorization are exchange access and interstate long distance. Talk America Services relies exclusively on an underlying provider to provide services in the affected states. The underlying provider has notified Talk America Services that it will no longer provide or support these services. Consequently, Talk America Services must discontinue service to the affected customers.

As described below, Talk America Services is providing all affected customers with ample notice of the discontinuance and has established a dedicated toll-free customer service number to support customers impacted by the discontinuance.

6. *Brief Description of Dates and Methods of Notice to All Affected Customers:*

The Applicant has provided written customer notice of the planned discontinuance in accordance with the requirements of section 63.71 (a) of the Commission's Rules. Notice was provided via 1st class U.S. mail to all affected customer on July 15, 2019. The notice is attached as Exhibit A.

A copy of this Application is being sent to the state regulatory commissions and governors' offices in all of the affected states, as well as to the Department of Defense, as required under Section 63.71, concurrent with this filing. A service list is provided in Exhibit B.

Conclusion

Talk America Services, LLC respectfully requests that the Commission approve its Section 63.71 Application to discontinue the services described herein. Pursuant to Section 214(a) of the Communication Act of 1934, as amended, and 47 C.F.R. §63.71, Talk America Services understands that this application will be automatically granted on the 31st day after the Public Notice is released, with no Commission notification to the Company, unless the Commission has notified the Company that the grant will not be automatically effective.

Dated this 15th day of July, 2019.

By: /s/ Allison W. Taylor

Allison W. Taylor
Vice President, Operations
Talk America Services, LLC

Sharon Thomas, Consultant to
Inteserra Consulting Group, Inc.
151 Southhall Lane, Suite 450
Maitland, FL 32751
Telephone: 407-740-3031
Facsimile: 407-740-0613
E-Mail: stthomas@inteserra.com

Exhibit A
Customer Notice



2134 W Laburnum Ave.
Richmond, VA 23227

July 15, 2019

Customer Name
Customer Address
City, State Zip

URGENT: Your telephone services will be impacted unless you take action!

Dear Valued Customer,

Talk America Services, LLC will discontinue offering local exchange (dialtone), digital subscriber line (DSL) internet access and intrastate and interstate long distance services to all customers in the states of Alabama, Arkansas, Idaho, Missouri, Nebraska, New Mexico, North Dakota, South Carolina, Washington, and Wyoming on or after September 1, 2019, pending applicable regulatory approvals. **Your service will be affected by this discontinuance.**

To avoid a **permanent disruption of your telephone services**, please contact Talk America Services at 1-800-962-4772 as soon as possible to discuss your available options for selecting an alternative service provider. Failure to do so may result in insufficient time to transition your services to an alternative provider. If you subscribe to our local services, you could lose your dialtone, including your telephone number, with no short-term ability to restore them. If you subscribe to our internet access or long distance services, you will experience loss of those services if you fail to transition to another provider or providers before September 1, 2019. Therefore, you will need to migrate the services you now receive from Talk America Services to an alternative provider **before September 1, 2019.**

A filing is being made with the FCC for approval of this discontinuance of service. 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 Talk America Services, LLC. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

You may contact Talk America Services directly to obtain information about this discontinuance, including how to receive a refund on any unused service or how to contact regulatory agencies to obtain information on possible replacement providers. Talk America Services' customer service can be reached at 1-800-962-4772 or customercare@talkamericaservices.com or in writing at 2134 W Laburnum Ave., Richmond, VA 23227.

Sincerely,

Talk America Services, LLC

Exhibit B – Service List

Ms. Olivia Martin
Alabama Public Service Commission
11 South Union Street
Montgomery, AL 36130

Governor Kay Ivey
Governor of Alabama
State Capitol
600 Dexter Avenue
Montgomery, AL 36130

Mr. Michael Sappington, Commission Secretary
Arkansas Public Service Commission
1000 Center Street
Little Rock, AR 72203

Governor Asa Hutchison
State Capitol Room 250
500 Woodlane Street
Little Rock, AR 72201

Ms. Diane Hanian, Commission Secretary
Idaho Public Utilities Commission
472 West Washington
Boise, ID 83702

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

Mr. Morris Woodruff, Executive Secretary
Missouri Public Service Commission
Office of the Public Counsel
200 Madison Street, Suite 650
Jefferson City, MO 65102-0360

Governor Michael L. Parson
PO Box 720
Jefferson City, MO 65102

Mr. Mike Hyble, Executive Director
Nebraska Public Service Commission
300 The Atrium
1200 N. Street
Lincoln, NE 68508

Governor Pete Ricketts
Office of the Governor – Craft State Building
200 South Silber, Room 022
North Platte, NE 69101

Records Department
New Mexico Public Regulation Commission
Utilities Division
1120 Paseo De Peralta
Santa Fe, NM 87504

Governor Michelle Lujan Grisham
State Capitol – Room 400
490 Old Santa Fe Trail
Santa Fe, NM 87501

Mr. Darell Nitschke, Executive Secretary
North Dakota Public Service Commission
600 E. Boulevard Avenue, Dept. 408
Bismarck, ND 58505-0480

Governor Doug Burgum
600 East Boulevard Avenue
Bismarck, ND 58505-0001

Ms. Jocelyn Boyd, Chief Clerk & Administrator
South Carolina Public Service Commission
101 Executive Center Drive, Suite 100
Columbia, SC 29210

Governor Henry McMaster
State House
1100 Gervais Street
Columbia, SC 29201

Mr. Steven King, Executive Director and Secretary
Washington Utilities & Transportation Commission
1300 S. Evergreen Park Drive, SW
Olympia, WA 98504-7250

Governor Jay Inslee
416 – 14th Avenue
SW Olympia, WA 98501

Mr. Chris Petrie, Secretary of Chief Counsel
Wyoming Public Service Commission
Hansen Building, Suite 300
2515 Warren Avenue
Cheyenne, WY 82002

Governor Mark Gordon
Idelman Mansion
2323 Carey Avenue
Cheyenne, WY 82002-0010

U.S. Department of Defense
Pentagon
Attn. Special Assistant for Telecom.
Washington, DC 20301

CERTIFICATE OF SERVICE

STATE OF FLORIDA)

COUNTY OF ORANGE)

On this date, July 15, 2019, the foregoing Section 63.71 Application was sent by U.S. Mail postage prepaid to the service list contained in Exhibit B.

/s/Ken Yeager

For Shipping Department
Inteserra Consulting Group, Inc.