BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

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Application of	
CROWN CASTLE NG CENTRAL LLC	
for Approval to Surrender Its Certificate of Service Authority	

Case No. _____

APPLICATION

This Application requests, pursuant to 4 CSR 240-2.060 and § 392.410(5) RSMo, that the Commission approve the surrender of the Certificate of Service Authority ("Certificate") of Crown Castle NG Central LLC ("CCNG-Central"). This Application is filed by the successor-in-interest of CCNG-Central, Crown Castle Fiber LLC ("Crown Castle Fiber" and together with CCNG-Central, the "Company"), because following a *Pro Forma* Consolidation (as defined below) CCNG-Central no longer exists as a separate entity. This Application also requests that the Commission, to the extent necessary, cancel CCNG-Central's Missouri tariff(s) currently on file with the Commission.

In support of this Application, the Company states the following:

1. CCNG-Central was a Delaware limited liability company and affiliate of Crown Castle Fiber, a New York limited liability company. The Company's principal place of business is 1220 Augusta Drive, Suite 600, Houston, Texas 77057.

2. In Missouri, CCNG-Central holds a Certificate granted by the Commission in Case No. XA-2005-0445 effective July 9, 2005 to provide basic local exchange, interexchange and nonswitched local exchange telecommunications services.¹ CCNG-Central's certificate of authority to do business from the Missouri secretary of state was provided in Case No. XN-2016-0033. Pursuant to 4 CSR 240-2.060(G), the Company requests that the certificate of authority to do business be incorporated by reference herein.

3. On December 31, 2018, CCNG-Central was consolidated into Crown Castle Fiber as part of a series of intra-company transactions whereby certain of Crown Castle Fiber's affiliates, including CCNG-Central, were consolidated into Crown Castle Fiber whereupon the separate existence of CCNG-Central ceased and Crown Castle Fiber was the surviving entity (the "*Pro Forma* Consolidation"). Crown Castle Fiber is authorized to provide non-switched local and interexchange telecommunications service pursuant to a Certificate granted by the Commission's Order issued in Case No. TA-2019-0038 effective August 23, 2018.

3. As of January 1, 2019, Crown Castle Fiber provides telecommunications services to CCNG-Central's customers pursuant to Crown Castle Fiber's Certificate and under the same rates, terms and conditions as the services previously provided pursuant to individually negotiated contracts with CCNG-Central. CCNG-Central's customers were notified of the *Pro Forma* Consolidation pursuant to the terms of individually negotiated contracts consistent with the sample customer notice provided as <u>Exhibit A</u>.

4. To the extent necessary, the Company also withdraws and requests cancellation of CCNG-Central's Missouri tariff currently on file with the Commission.

5. CCNG-Central does not have any pending actions or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or

¹ This Certificate originally was granted to NextG Networks of Illinois, Inc. d/b/a NextG Networks Central which subsequently changed its name to Crown Castle NG Central Inc. and converted to a Delaware limited liability company in Case No. XN-2016-0033 effective August 23, 2015.

rates, which action, judgment or decision has occurred within three (3) years of the date of the application. CCNG-Central does not, to the best of the Company's knowledge, have any overdue annual reports or assessment fees.

6. The Company submits that the surrender of CCNG-Central's Certificate is reasonable, necessary and not disruptive to the present or future public interest, convenience and necessity of the State of Missouri. In addition, to the extent that CCNG-Central had any outstanding obligations, including deposits, to any Missouri customers, Crown Castle Fiber is responsible for such obligations as a result of the *Pro Forma* Consolidation.

7. Because CCNG-Central does not exist as a separate corporate entity or serve any customers or have any active operations in Missouri, the Company respectfully submits that the surrender and cancellation of CCNG-Central's Certificate and withdrawal of its tariff(s), effective January 1, 2019, are reasonable and necessary.

8. Questions regarding this Application should be directed to:

Mark W. Comley Newman, Comley & Ruth P.C. 601 Monroe Street, Suite 301 P.O. Box 537 Jefferson City, Missouri 65102-0537 573-634-2266 573-636-3306 (fax) comleym@ncrpc.com

and

Tamar E. Finn Brett P. Ferenchak Patricia Cave Morgan, Lewis & Bockius LLP 1111 Pennsylvania Ave, N.W. Washington, DC 20004-2541 202-739-3000 (tel) 202-739-3001 (fax) tamar.finn@morganlewis.com brett.ferenchak@morganlewis.com patricia.cave@morganlewis.com

9. The contact for any outstanding regulatory obligations of CCNG-Central is:

Fernanda Biehl Manager, Regulatory Affairs – Fiber Crown Castle Fiber 2000 Corporate Drive Canonsburg, PA 15317 Tel: 703-434-8533 Fax: 703-434-8510 PUC.Correspondence@crowncastle.com

WHEREFORE, the Company respectfully requests that the Commission grant this Application and issue an Order canceling Crown Castle NG Central LLC's Certificate of Service Authority and tariff(s), effective January 1, 2019, and grant all such other relief as is necessary and appropriate to effectuate the relief herein requested.

Respectfully submitted,

NEWMAN, COMLEY & RUTH P.C.

By: /s/ Mark W. Comley

Mark W. Comley #28847 601 Monroe Street, Suite 301 P.O. Box 537 Jefferson City, MO 65102-0537 (573) 634-2266 (573) 636-3306 (fax) <u>comleym@ncrpc.com</u> Attorneys for Crown Castle NG Central LLC

Dated: March 14, 2019

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was sent via e-mail on this 14th day of March, 2019, to General Counsel's Office at staffcounselservice@psc.mo.gov; and Office of Public Counsel at opcservice@ded.mo.gov.

/s/ Mark W. Comley

COMMONWEALTH OF PENNSYLVANIA)) COUNTY OF WASHINGTON)

I, Neil Dickson, state that I am Vice President - Corporate and Commercial Transactions of Crown Castle Fiber LLC (the "Company"); that I am authorized to make this Verification on behalf of the Company and its predecessors-in-interest, including Crown Castle NG Central LLC; that the foregoing filing was prepared under my direction and supervision; and that the contents with respect to the Company are true and correct to the best of my knowledge, information, and belief.

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Neil Dickson Vice President - Corporate and Commercial Transactions Crown Castle Fiber LLC

SWORN TO AND SUBSCRIBED before me on the ______ day of March, 2019.

Larly Dioguardi Notary Public

April 1, 2020 My commission expires:

> Commonwealth of Pennsylvania - Notary Seal Sally Dioguardi, Notary Public Washington County My commission expires April 1, 2020 Commission number 1240888

Member, Pennsylvania Association of Notaries



EXHIBIT A

Sample Customer Notice



October 24, 2018

Dear Valued Customer:

Effective January 1, 2019, as a result of an internal consolidation of our legal entities, Crown Castle Fiber LLC will provide you with the solutions currently provided to you by our affiliates listed below. This consolidation makes it easier for you to do business with us by reducing the number of affiliates.

Your existing service contract(s) remain unchanged, the consolidation will have no impact on your services or your rates, and all rights and obligations under the agreements between you and your current provider will continue unaffected. If necessary, we will notify you of any changes to your billing or payment address.

If you have any questions, please contact Legal-CustomerTeam1@crowncastle.com.

Sincerely,

Crown Castle Fiber LLC On behalf of its affiliates below: 24/7 Mid-Atlantic Network of Virginia, LLC 24/7 Mid-Atlantic Network, LLC Access Fiber Group Holdings, LLC Access Fiber Group, Inc. CA - CLEC LLC dba Crown Castle CA-CLEC LLC Chesapeake Fiber, LLC Cross Connect Solutions, Inc. Crown Castle NG Atlantic LLC Crown Castle NG Central LLC Crown Castle NG East LLC¹ Crown Castle NG West LLC Crown Castle Solutions LLC¹ Fiber Technologies Networks, L.L.C. Fiber Technologies New York Networks, Inc. Fibernet Direct Florida LLC Fibernet Direct TEL LLC Fibernet Direct Texas LLC Fibertech Networks, LLC Freedom Telecommunications, LLC InSITE Fiber of Virginia, LLC

InSITE Solutions LLC IX2 Center, L.L.C. IX2 Wilshire, LLC Light Tower Fiber New York, Inc. Light Tower Metro Fiber LLC Lightower Fiber Infrastructure Corp. Lightower Fiber Networks I, LLC NEON Transcom, Inc. NewPath Networks, LLC NY-CLEC LLC PA-CLEC LLC d/b/a Pennsylvania CLEC LLC Sidera Networks, Inc. Sunesys of Massachusetts, LLC Sunesys of Virginia, Inc. Sunesys, LLC WA-CLEC LLC Wilcon Operations LLC Wilcon Services, LLC Wilshire Connection, LLC

¹ This entity expected to consolidate after January 1, 2019. Additional information will be provided in subsequent correspondence.