

UTAH PUBLIC
SERVICE COMMISSION
Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554
2020 MAR 11 AM 04

In the Matter of)
RECEIVED)
Section 63.71 Application of) WC Docket No. 20-_____
Vivint Wireless, Inc. (d/b/a Vivint Internet))
)

SECTION 63.71 APPLICATION

Vivint Wireless, Inc. (d/b/a Vivint Internet) (“Applicant”) seeks authorization, pursuant to Section 214(a) of the Communications Act of 1934, as amended, and 47 C.F.R. Section 63.71, to discontinue the provision of resold interconnected VoIP services to all of its customers on April 30, 2020, or as soon thereafter as Commission approval can be obtained. Due to circumstances beyond its control, Applicant is no longer able to continue providing resold interconnected VoIP services.

Applicant provides the following information pursuant to Section 63.71 of the Commission’s Rules:

1. Name and Address of Provider:

Vivint Wireless, Inc. (d/b/a Vivint Internet)
4931 N 300 W
Provo, UT 84604

2. Date of Planned Service Discontinuance, Reduction or Impairment:

Applicant plans to discontinue providing resold interconnected VoIP services to all of its customers as of April 30, 2020, or as soon thereafter as Commission approval can be obtained.

3. Points of Geographic Areas of Service Affected:

Applicant plans to discontinue its resold interconnected VoIP services in all areas that it services. Currently, Applicants provides resold interconnected VoIP services in El Paso and

Horizon City, Texas and the following cities in Utah: Alpine, American Fork, Bluffdale, Bountiful, Cedar Hills, Clearfield, Clinton, Cottonwood Heights, Draper, Eagle Mountain, Farmington, Farr West, Harrisville, Herriman, Highland, Hooper, Kearns, Layton, Lehi, Lindon, Magna, North Ogden, North Salt Lake, Ogden, Orem, Pleasant Grove, Pleasant View, Riverton, Roy, Salt Lake City, Sandy, Saratoga Springs, South Jordan, Springville, Syracuse, Taylorsville, Vineyard, West Bountiful, West Jordan, West Valley City and Woods Cross. The proposed discontinuance will affect approximately 600 customers.

4. Brief Description of Types of Service Affected:

Applicant plans to discontinue resold interconnected VoIP services. Applicant submits this application for automatic approval under 47 C.F.R. § 63.71(f) as a non-dominant carrier.

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

Applicant provided written customer notice of the planned discontinuance in accordance with the requirements of Section 63.71(a) of the Commission's Rules. The notice was sent to all affected customers via U.S. mail on March 6, 2020. A copy of the notice is appended hereto as Exhibit A. A copy of this Application has also been sent to the relevant state regulatory agency, governor's office and the Department of Defense, as required under Section 63.71, concurrent with this filing, as set forth in the attached Certificate of Service.

6. Non-Dominance of the Provider With Respect to the Service to be Discontinued:

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

WHEREFORE, the public convenience and necessity will not be adversely affected by the proposed discontinuance of services described herein. Applicant has provided the requisite notice to the affected customers, which have access to several other substitute services. Accordingly, pursuant to Section 214 of the Communications Act of 1934, as amended, 47 U. S. C. Section 214,

and Section 63.71 of the Commission's Rules, Applicant respectfully requests Commission approval of this Application.

Respectfully submitted,

By: /s/ Danielle Burt
Ronald W. Del Sesto, Jr.
Danielle Burt
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, DC 20004-2541
202-739-3000 (Tel)
202-739-3001 (Fax)
ronald.delsesto@morganlewis.com
danielle.burt@morganlewis.com

Counsel to Applicant

Dated: March 6, 2020

Exhibit A

Customer Notice

Micro Voice Service Customer Notification Letter

March 6, 2020

Regarding: Vivint Wireless
Account Number: CUSTOMER NUMBER

CUSTOMER NAME
CUSTOMER ADDRESS

Dear CUSTOMER FIRST NAME,

We regret to announce the cancellation of service in your area because the economic environment is no longer viable to operate our business. Effective March 3, we are beginning an orderly wind-down of Vivint Wireless. We will continue to serve you until your Vivint Wireless internet service is disconnected on April 30, 2020.

On April 30, or as soon thereafter based on when we receive the requisite regulatory approvals, Vivint will no longer provide its Vivint Voice, resold interconnected VoIP service ("Service").

At that time, you may unplug our equipment inside your home. We will be sending professionals to your home to remove any equipment, free of charge. Please note that the equipment removal process will not be fully completed until September. Our scheduling team will call to inform you of your removal date and process. You do not need to be at home during this process.

You will not be billed after your service is disconnected on April 30.

This announcement will not impact Vivint Smart Home's operations or ability to serve customers. However, additional Vivint services may require an active internet connection to function fully.

If you are interested in securing new wireless service, you may call either Utah Wi-Fi Pros at 385-429-9449 or Texas Ultra Networks at 385-419-2161, depending on your location. Xfinity and CenturyLink are available to customers in Utah, while CenturyLink and AT&T are available to customers in Texas.

The Federal Communications Commission ("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 FCC 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 FCC's public notice for this proceeding, or you may address them to the following address:

Federal Communications Commission
Wireline Competition Bureau, Competition Policy Division
Washington, DC 20554

Please include in your comments a reference to the §63.71 Application of Vivint Wireless, Inc. (d/b/a Vivint Internet). 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.

Please contact us at 855-881-3385 with any questions about Vivint Wireless. For any other Vivint solutions needs, call 855-729-9023 or visit www.vivint.com.

Sincerely,

Vivint Wireless Customer Care
855-881-3385
support@vivintinternet.com
4931 N 300 W
Provo, UT 84604
VIVINT LOGO

Sub Voice Service Customer Notification Letter

March 6, 2020

Regarding: Vivint Wireless
Account Number: CUSTOMER NUMBER

CUSTOMER NAME
CUSTOMER ADDRESS

Dear CUSTOMER FIRST NAME,

We regret to announce the cancellation of service in your area because the economic environment is no longer viable to operate our business. Effective March 3, we are beginning an orderly wind-down of Vivint Wireless. We will continue to serve you until your Vivint Wireless internet service is disconnected on April 30, 2020.

On April 30, or as soon thereafter based on when we receive the requisite regulatory approvals, Vivint will no longer provide its Vivint Voice, resold interconnected VoIP service ("Service").

At that time, you may unplug our equipment inside your home. If you would like Vivint Wireless to remove any of the exterior equipment, please call us at 855-881-3385 prior to April 30 to schedule an appointment for equipment removal at no cost. You do not need to be at home during this process. You may keep your Vivint router at no charge.

You will not be billed after your service is disconnected on April 30.

This announcement will not impact Vivint Smart Home's operations or ability to serve customers. However, additional Vivint services may require an active internet connection to function fully.

If you are interested in securing wireless service, you may call either Utah Wi-Fi Pros at 385-429-9449 or Texas Ultra Networks at 385-419-2161, depending on your location. Xfinity and CenturyLink are available to customers in Utah, while CenturyLink and AT&T are available to customers in Texas.

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Please contact us at 855-881-3385 with any questions about Vivint Wireless. For any other Vivint solutions needs, call 855-729-9023 or visit www.vivint.com.

Sincerely,

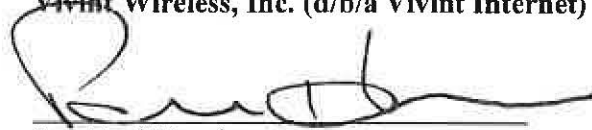
Vivint Wireless Customer Care
855-881-3385
support@vivintinternet.com
4931 N 300 W
Provo, UT 84604
VIVINT LOGO

VERIFICATION

I, Paul Haynie, state that I am an authorized representative of Vivint Wireless, Inc. (d/b/a Vivint Internet), the Applicant in the foregoing *Section 63.71 Application of Vivint Wireless, Inc (d/b/a Vivint Internet)*.; that I am authorized to make this Verification on behalf of Applicant; that I have read the foregoing Application 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 5 day of March, 2020.

Vivint Wireless, Inc. (d/b/a Vivint Internet)

A handwritten signature in black ink, appearing to read 'Paul Haynie', written over a horizontal line.

By: Paul Haynie

Title: Authorized Representative

CERTIFICATE OF SERVICE

I, Danielle Burt, certify that on this 6th day of March, 2020, the foregoing Section 63.71 Application of Vivint Wireless, Inc. (d/b/a Vivint Internet) was sent via first class mail, postage prepaid, to the following persons listed below.

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

Utah Public Service Commission
P.O. Box 4558
Salt Lake City, UT 84114-4558

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

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

Secretary of Defense
Attn: Special Assistant for Telecommunications
Pentagon
Washington, D.C. 20301

/s/ Danielle Burt
