

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

UTAH PUBLIC
SERVICE COMMISSION
2020 JUN 19 A 10:39

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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: ls/
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Marashlian & Donahue, PLLC
The CommLaw Group
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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 Defense¹.



Michael Donahue

Date: March 26, 2020

¹ 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.

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Puyallup Tribe of the Puyallup Reservation Angel
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98404-4926

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

Department of Defense Chief
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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

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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
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Confederated Tribes of Warm Springs
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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
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