

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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| Birch Communications, LLC's Request for Approval to Change the Company Name to Fusion Cloud Services, LLC | <p style="text-align: center;"><u>DOCKET NO. 19-2600-01</u></p> <p style="text-align: center;"><u>ORDER ACKNOWLEDGING NEW NAME AND AMENDING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY</u></p> |
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ISSUED: June 26, 2019

BACKGROUND

On January 23, 2018, in Docket No. 17-2600-01, the Public Service Commission of Utah (PSC) granted Birch Communications, Inc. ("Birch Inc.") a Certificate of Public Convenience and Necessity, authorizing the company to provide competitive local exchange services within the State of Utah.

On March 12, 2018, in Docket No. 18-2600-T01,¹ Birch Inc. filed a letter notifying the PSC that it had changed its name to Birch Communications, LLC ("Birch LLC"). On June 24, 2019, Birch LLC filed a letter in this docket requesting approval from the PSC to change its name to Fusion Cloud Services, LLC, effective June 30, 2019.² Birch LLC states a notice of the name change is being provided to Utah customers via bill message and that the name change will not affect terms and conditions of service being offered to Utah customers.

On June 25, 2019, the Division of Public Utilities (DPU) filed a memorandum recommending that the PSC acknowledge the name change.

¹ See Birch Communications, LLC f/k/a Birch Communications, Inc.'s Initial Local and Access Tariffs and Notice of Change in Company Name (Letter dated March 12, 2018); Docket No. 18-2600-T01.

² As part of its filing, Birch included documentation showing the business name Fusion Cloud Services, LLC was registered with the Utah Secretary of State.

ORDER

Having reviewed the filing and the DPU's recommendation, and because the DPU has no concerns with the name change, we find Birch LLC's request is reasonable. Therefore the PSC acknowledges and approves the name change to Fusion Cloud Services, LLC and amends the affected Certificate of Public Convenience and Necessity to reflect the new business name. The amended Certificate of Public Convenience and Necessity is attached as Exhibit A.

DATED at Salt Lake City, Utah, June 26, 2019.

/s/ Thad LeVar, Chair

/s/ David R. Clark, Commissioner

/s/ Jordan A. White, Commissioner

Attest:

/s/ Gary L. Widerburg
PSC Secretary
DW#308903

Notice of Opportunity for Agency Review or Rehearing

Pursuant to Utah Code Ann. §§ 63G-4-301 and 54-7-15, a party may seek agency review or rehearing of this order by filing a request for review or rehearing with the Commission within 30 days after the issuance of the order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the Commission fails to grant a request for review or rehearing within 20 days after the filing of a request for review or rehearing, it is deemed denied. Judicial review of the Commission's final agency action may be obtained by filing a Petition for Review with the Utah Supreme Court within 30 days after final agency action. Any Petition for Review must comply with the requirements of Utah Code Ann. §§ 63G-4-401, 63G-4-403, and the Utah Rules of Appellate Procedure.

DOCKET NO. 19-2600-01

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EXHIBIT A

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

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| Birch Communications, LLC's Request for Approval to Change the Company Name to Fusion Cloud Services, LLC | <p><u>DOCKET NO. 19-2600-01</u></p> <p><u>CERTIFICATE 2600</u></p> <p><u>AMENDED CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY</u></p> |
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ISSUED: June 26, 2019

The Public Service Commission of Utah, pursuant to Utah Code Ann. § 54-8b-2.1, issues an Amended Certificate of Public Convenience and Necessity authorizing Fusion Cloud Services, LLC to provide public telecommunications services within the State of Utah, excluding areas served by a local exchange with fewer than 5,000 access lines that is owned or controlled by an incumbent telephone corporation with fewer than 30,000 access lines in the state.

DATED at Salt Lake City, Utah, June 26, 2019.

/s/ Thad LeVar, Chair

/s/ David R. Clark, Commissioner

/s/ Jordan A. White, Commissioner

Attest:

/s/ Gary L. Widerburg
PSC Secretary
DW#308903

CERTIFICATE OF SERVICE

I CERTIFY that on June 26, 2019, a true and correct copy of the foregoing was served upon the following as indicated below:

By Electronic-Mail:

Carey Roesel (croesel@inteserra.com)
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By Hand-Delivery:

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Administrative Assistant