#### **KELLEY DRYE & WARREN LLP**

A LIMITED LIABILITY PARTNERSHIP

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February 4, 2020

Mr. Gary Widerburg Commission Administrator Utah Public Service Commission Heber M. Wells Building, 4th Floor 160 East 300 South Salt Lake City, UT 84111

### **Re:** Fusion Cloud Services, LLC Notice of Emergence from Chapter 11 Status

**Docket No. 19-2600-02**; Joint Notice of Fusion Connect, Inc., debtor-inpossession, Fusion Cloud Services, LLC, debtor-in-possession, and Telecom Holdings, LLC of a Transaction That Will Result in a Material Change to the Ownership and Control of Fusion Cloud Services, LLC — Notice of Consummation

Dear Mr. Widerburg:

On June 11, 2019, Fusion Connect, Inc. and Fusion Cloud Services, LLC (collectively, "Fusion Entities") filed a notice with the Utah Public Service Commission ("Commission") of their entry into Chapter 11 bankruptcy protection.<sup>1</sup> Subsequently, on August 9, 2019, the Fusion Entities, in their debtor-in-possession status, and Telecom Holdings LLC (together, the "Parties"), filed the above-referenced notice for the Commission's review of a reorganization transaction in which controlling interest in the Fusion Entities would be acquired by Telecom Holdings, LLC.<sup>2</sup> This filing is submitted to notify the Commission that on January 14, 2020 the

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<sup>&</sup>lt;sup>1</sup> Birch Communications, LLC Notice of Filing of Chapter 11 Bankruptcy (Reorganization), (June 11, 2019). Subsequent to the filing of this notice, Birch Communications made a filing with the Commission in connection with its change of name to Fusion Cloud Services, LLC. Docket No. 19-2600-01 (June 24, 2019).

<sup>&</sup>lt;sup>2</sup> The Commission addressed the filing and noted the transaction on September 9, 2019. *See, Acknowledgement of Filing and Order Cancelling Hearing* (Sept. 9, 2019).

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Fusion Entities emerged from Chapter 11 protection<sup>3</sup> and the Parties completed the transaction described in their notice.

If there are any questions regarding this notice or the transaction generally, please contact the undersigned counsel. Thank you for your assistance with this matter.

Sincerely,

/s/ Winafred Brantl

Winafred Brantl Kelley Drye & Warren LLP 3050 K Street, NW, Suite 400 Washington, DC 20007 Tel: (202) 945-6649 Email: <u>wbrantl@kelleydrye.com</u> **Counsel for Fusion Connect, Inc., and Fusion Cloud Services, LLC** 

<sup>&</sup>lt;sup>3</sup> Effective with their emergence, the Fusion Entities are no longer debtors-in-possession.