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

In the Matter of

Section 63.71 Application of Mitel Cloud Services Inc.

WC Docket No.

MTAH PUPILIC CITY

For Authority Pursuant to Section 214 of) the Communications Act of 1934, as) amended, to Discontinue the Provision of) hosted business interconnected VoIP services.)

SECTION 63.71 APPLICATION OF Mitel Cloud Services Inc.

Mitel Cloud Services 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 end new sales and grandfather certain hosted business interconnected voice over Internet protocol ("VoIP") services ("Services") in all states and jurisdictions where the Services are offered.

Currently, Applicant is no longer offering the Services to new customers. Modifications in service offerings for customers with existing contracts are subject to the terms of their contracts. Applicant will work with RingCentral, its exclusive UCaaS partner, to provide customers wanting to migrate to RingCentral's Message Voice Phone (MVP) solution with a seamless path. In addition to RingCentral, alternative services are available from several providers.

Applicant submits the following information pursuant to Section 63.71 of the Commission's rules:

1. Name and Address of the Carrier

Mitel Cloud Services Inc. 1146 North Alma School Rd. Mesa, AZ 85201 Applicant submits the following information pursuant to Section 63.71 of the Commission's rules:

2. Name and Address of the Carrier

Mitel Cloud Services Inc. 1146 North Alma School Rd. Mesa, AZ 85201

3. Date of Planned Service Discontinuance

Upon receipt of the necessary regulatory approvals, Applicant will continue to no longer offer Services to new customers.

4. Points of Geographic Areas of Service Affected

Throughout the United States, including the District of Columbia and Puerto Rico.

5. Description of Services Affected

The following Applicant hosted business services (which include interconnected VoIP service): MiCloud Flex Retail and MiCloud Office.

6. Brief Description of the Dates and Methods of Notice to All Affected Customers

On January 13, 2022, Applicant posted an end of sale notice on its Channel Partner portal for channel partners who refer new MiCloud Flex Retail and MiCloud Office opportunities to Applicant. These channel partners represent a significant source of prospective new customers for these services. On or before August 15, 2022, Applicant provided notice of end of sale to existing customers as part of their monthly invoice. A sample of the language included within the invoice is attached to this application as Attachment A.

Also, on August 16, 2022, 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, federallyrecognized 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.

7. 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 end of sale of the services described herein. Therefore, Applicant respectfully requests that the Commission approve this Section 63.71 application.

Respectfully submitted,

Mitel Cloud Services Inc.

By: <u>/s/ Michael P. Donahue</u> Michael P. Donahue Marashlian & Donahue, PLLC The CommLaw Group 1430 Spring Hill Road, Suite 310 Tysons, Virginia 22102 Tel: 703-714-1319 Email: <u>mpd@CommLawGroup.com</u>

Counsel for Mitel Cloud Services Inc.

Dated: August 16, 2022

Attachment A

MiCloud Flex Retail and MiCloud Office

Important Messages

You may be aware that Mitel Cloud Services Inc, 1146 N Alma School Rd, Mesa, AZ 85201, United States recently announced the end of general sale of its of its MiCloud Office and MiCloud Flex Retail solutions throughout the United States, including the District of Columbia and Puerto Rico, on or after 2022-06-30 subject to regulatory approvals.

Subject to regulatory approvals, starting July 1st 2022, Mitel is not taking on any new customers.¹ RingCentral[™] is now Mitel's exclusive UCaaS partner! Click here to learn more about migration to RingCentral's award-winning MVP® (Message Video Phone) platform and exclusive promotional offers for Mitel customers including up to 3 months free service and waived early termination fee. Notwithstanding our RingCentral partnership, Mitel remains committed to providing our existing cloud customers with the service they have come to depend on. This includes meeting any expansion needs customers may have for their current service.¹

¹ The FCC will normally authorize this proposed discontinuance of service (or reduction or impairment) 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 Commission 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 Commission's public notice for this proceeding, or you may address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the § 63.71 Application of Mitel Cloud Services, Inc. Comments should include specific information about the impact of this proposed discontinuance (or reduction or impairment) upon you or your company, including any inability to acquire reasonable substitute service.

CERTIFICATE OF SERVICE

I, Michael P. 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;
- Served via first-class U.S. Mail, postage prepaid, on the Governors of the States and territories 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.

/s/ Michael P. Donahue Michael P. Donahue Marashlian & Donahue, PLLC The CommLaw Group 1430 Spring Hill Road, Suite 310 Tysons, Virginia 22102 Tel: 703-714-1319 Email: mpd@CommLawGroup.com

Counsel for Mitel Cloud Services Inc.

Dated: August 16, 2022

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.

Alabama Public Service Commission 100 North Union Street Suite 850 Montgomery, AL 36104

Arkansas Public Service Commission 1000 Center Street Little Rock, AR 72201-4314

Connecticut Public Utilities Regulatory Authority 10 Franklin Square New Britain, CT 06051

Georgia Public Service Commission 244 Washington Street Atlanta, GA 30334

Illinois Commerce Commission 160 North LaSalle Street Suite C-800 Chicago, IL 60601

Iowa Utilities Board 1375 E. Court Avenue Des Moines, IA 50319 Regulatory Commission of Alaska 701 West 8th Avenue Suite 300 Anchorage, AK 99501-3469

California Public Utilities Commission California State Building 505 Van Ness Ave San Francisco, CA 94102-3298

Delaware Public Service Commission 861 Silver Lake Boulevard Cannon Building Dover, DE 19904

Hawaii Public Utilities Commission 465 South King Street Kekuanao'a Building Honolulu, HI 96813

Kansas Corporation Commission 1500 S.W. Arrowhead Road Topeka, KS 66604

Kentucky Public Service Commission 211 Sower Boulevard Frankfort, KY 40601

Maine Public Utilities Commission 18 State House Station Augusta, ME 04333-0018 Maryland Public Service Commission 16th Floor 6 St. Paul Street Baltimore, MD 21202-6806 Arizona Corporation Commission 1200 West Washington Street Phoenix, AZ 85007-2996

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Florida Public Service Commission 2540 Shumard Oak Boulevard Gerald Gunter Building Tallahassee, FL 32399

Idaho Public Utilities Commission 11331 W. Chinden Blvd. Building 8, Suite 201-A Boise, ID 83714

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Louisiana Public Service Commission PO Box 91154 602 North Fifth Street Baton Rouge, LA 70821-9154

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New Jersey Board of Public Utilities 44 South Clinton Avenue Trenton, NJ 08625-0350

New Mexico Public Regulation Commission 1120 Paseo de Peralta Santa Fe, NM 87501-1269 New York State Public Service Commission Three Empire State Plaza Albany, NY 12223-1350

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Rhode Island Public Utilities Commission 89 Jefferson Blvd. Warwick, RI 02888 North Carolina Utilities Commission 4325 Mail Service Center Raleigh, NC 27699-4300

Oklahoma Corporation Commission Jim Thorpe Office Building 2101 North Lincoln Boulevard Oklahoma City, OK 73105-2000

Pennsylvania Public Utility Commission PO Box 3265 Harrisburg, PA 17105

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