

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

In the Matter of)
)
Section 63.71 Application of)
Mitel Cloud Services Inc.)
)
For Authority Pursuant to Section 214 of)
the Communications Act of 1934, as)
amended, to Discontinue the Sale of)
Certain Business Network Services and)
Provision of Certain Time Division Multiplex)
Services.)

WC Docket No. _____

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**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 grandfather and discontinue the new sales of certain business network services ("Business Network Services") and discontinue provision of certain Time Division Multiplexed Services ("TDM Services"), a subset of the Business Network Services, in all states and jurisdictions where the service is offered.

As of April 30th 2022, Applicant has prohibited new customers from ordering Business Network Services, and subject to Commission authorization, will discontinue provision of the TDM Services on or after December 31st 2022. Modifications in service offerings for customers with existing contracts are subject to the terms of their contracts. Alternative services are available from wide range of other 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

2. Date of Planned Service Discontinuance

As of April 30th, 2022, Applicant has no longer offered Business Network Services to new customers. As of December 31st, 2022, or as soon thereafter as the necessary regulatory approvals can be obtained, Applicant will discontinue provision of TDM Services.

3. Points of Geographic Areas of Service Affected

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

4. Description of Services Affected

Business Networks Services including Private Line, Dedicated Internet, MPLS, Broadband, PRI, SIP Trunks and Dedicated Long Distance.

TDM Services include including Private Line, Dedicated Internet, MPLS, PRI, Dedicated Long Distance, Dynamic and Integrated T1.

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

Applicant posted a Business Network Services end of sale notice taking affect April 30th, 2022, on its Channel Partner Portal for Applicant's channel partners who refer opportunities to Applicant. These channel partners represented 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 Business Network Service customers and notice of discontinuance of TDM Services to existing TDM Services customers. Samples of the notices are attached to this application as Attachment A and B, respectively.

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, 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. Therefore, Applicant respectfully requests that the Commission approve this Section 63.71 application.

Respectfully submitted,

Mitel Cloud Services Inc.

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Counsel for Mitel Cloud Services Inc.

Dated: August 16, 2022

Attachment A – Customer Business Network Service End of Sale Notice

Dear Mitel Customer,

You may be aware that in March 2022 Mitel Cloud Services Inc, 1146 N Alma School Rd, Mesa, AZ 85201, United States announced the end of general sale of all of its network-based service solutions (the “Network Solution End of Sale”) throughout the United States, including the District of Columbia and Puerto Rico, effective 2022-04-30, to its partners by way of bulletin. The announced general end of sale is subject to regulatory approvals.¹

This includes sales of:

- Private Line
- Dedicated Internet
- MPLS
- Broadband (Cable and DSL)
- PRI
- SIP Trunks
- Dedicated Long Distance

This is your notice of the Network Solution End of Sale. At this time, Mitel intends to continue to support existing customers by continuing to provide service and support for all SIP Trunk and Ethernet based circuits subject to any discontinuance of service by the underlying provider.

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.

Attachment B – Customer TDM Services End Of Life Notice

Dear Mitel Customer,

You may be aware that in March 2022 Mitel Cloud Services Inc, 1146 N Alma School Rd, Mesa, AZ 85201, United States announced to its partners by way of bulletin the end of general sale of all its network-based service solutions throughout the United States, including the District of Columbia and Puerto Rico, on 2022-04-30.

This includes sales of:

- Private Line
- Dedicated Internet
- MPLS
- Broadband (Cable and DSL)
- PRI
- SIP Trunks
- Dedicated Long Distance

In addition to the above, over the past couple of years, the industry has seen major carriers shift away from Time Division Multiplexing (TDM) technology due to the cost of maintaining this infrastructure. In line with this shift, the carriers are either introducing significant price increases or are outright disconnecting these services. Mitel recognizes these actions spread out over time have created a poor customer experience.

As such, subject to regulatory approvals, effective December 31st, 2022, Mitel is discontinuing (i.e., decommissioning) all TDM based circuits delivered with a T-1/DS-1, NxT-1/DS-1, DS-3, and OC-3 last mile. This includes those used in conjunction with MiCloud Flex, MiCloud Business, MiCloud Office, MiCloud Connect and Shoretel Sky.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.

The shutdown includes situations where TDM circuits are used for:

- Private Line
- Dedicated Internet
- MPLS
- PRI
- Dedicated Long Distance
- Dynamic T-1
- Integrated T-1

Irrespective of Mitel's planned December 31st shutdown date, Mitel anticipates that carriers will continue to notify us of disconnects and price increases between the date of this announcement and December 31st. Mitel will inform you of any disconnect notices or price increases as they are received. Note, this may mean that some circuits will be disconnected or see price increases prior to December 31, 2022.

Customers must explore alternative options, including use of your ISP connection for this purpose, which could represent a cost savings opportunity for you. Mitel will allow customers to proactively disconnect TDM circuits prior to the End of Life date without early termination fee. **IN ANY EVENT, TDM CUSTOMERS MUST HAVE ALTERNATIVE ARRANGEMENTS IN PLACE ON OR BEFORE DECEMBER 31, 2022.** Customers who use TDM circuits for their voice traffic may find this a good opportunity to review their Mitel UCaaS solution in light of the available migration path to Mitel's exclusive UCaaS partner RingCentral™'s award-winning MVP® (Message Video Phone) platform.

[Click here](#) to learn more about migration to RingCentral's MVP platform and exclusive promotional offers for Mitel customers including up to 3 months free service and waived early termination fee.

Frequently Asked Questions

1. Why is Mitel Announcing the end of life of TDM circuits?

The market is moving away from TDM circuits. These networks are becoming more difficult to maintain resulting in large price increases or disconnect notices. As such Mitel is ending its support of all such circuit types.

2. My TDM based circuit provides connectivity to my MiCloud Connect, ShoreTel Sky, MiCloud Flex, MiCloud Business, or MiCloud Office solution. Can Mitel provide a new circuit to replace the TDM connection?

As of April 30th, 2022, subject to regulatory approval, Mitel is no longer providing new circuits. Customers must explore alternative options, including use of your ISP connection for this purpose, which could represent a cost savings opportunity for you.

Mitel Customers using the above-mentioned solutions will have an opportunity to migrate to our partner's unified communications service, RingCentral MVP.

Customers who migrate to RingCentral MVP will benefit from Mitel's complimentary Migration Assist Package, which features tools and support to complete migrations up to 75% faster than market standards. Mitel will waive any early termination fees (ETF), customers will be eligible for special pricing with RingCentral MVP, as well as up to 3-months-free service. Customers will also receive fully compatible certified Mitel phones, if their existing phones are not compatible.

3. Will Mitel continue to support our Ethernet and Broadband circuits?

Subject to any discontinuance of services by the underlying providers, current Ethernet customers will not be affected at this time.

4. My TDM circuit supported my voice traffic. Does Mitel have a replacement offer?

As of April 30th, 2022, subject to regulatory approval, Mitel is no longer providing new circuits. Customers must explore alternative options, including use of your ISP connection for this purpose, which could represent a cost savings opportunity for you.

Mitel customers will have the opportunity to enhance their overall unified communications offering by migrating to our partner RingCentral, with their RingCentral MVP product, and to capitalize on a number of incentives, as outlined in #2 above.

5. What markets are affected by the End of Life notice?

US, including the District of Columbia and Puerto Rico.

6. Who should customers contact for more information?

To discuss disconnect of your TDM circuit contact Mitel support.

For more information or to take advantage of the migration offer, customers should reach out to support for further information.

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;
- 2) 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 Defense².

/s/ Michael P. Donahue
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Email: mpd@CommLawGroup.com

Counsel for Mitel Cloud Services Inc.

Dated: August 16, 2022

² 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

Maine Public Utilities
Commission
18 State House Station
Augusta, ME 04333-0018

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

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

Colorado Public Utilities
Commission
1560 Broadway
Ste. 250
Denver, CO 80202

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

Indiana Utility Regulatory
Commission
PNC Center
101 West Washington
Street, Suite 1500E
Indianapolis, IN 46204

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

Massachusetts Department of
Public Utilities
One South Station
Boston, MA 02110

Michigan Public Service
Commission
7109 West Saginaw Highway
Lansing, MI 48909

Missouri Public Service
Commission
200 Madison Street
Governor Office Building
Jefferson City, MO 65101

Public Utilities Commission of
Nevada
1150 East William Street
Carson City, NV 89701-3109

New Mexico Public Regulation
Commission
1120 Paseo de Peralta
Santa Fe, NM 87501-1269

North Dakota Public Service
Commission
600 E Boulevard Ave
Dept 408
Bismarck, ND 58505-0480

New Mexico Public Regulation
Commission
1120 Paseo de Peralta
Santa Fe, NM 87501-1269

Puerto Rico Energy Bureau
World Plaza Building
268 Munoz Rivera Avenue,
Suite 202
San Juan, PR 00918

Minnesota Public Utilities
Commission
121 Seventh Place East
Suite 350
St. Paul, MN 55101-2147

Montana Public Service
Commission
1701 Prospect Avenue
PO Box 202601
Helena, MT 59620-2601

New Hampshire Public Utilities
Commission
21 South Fruit Street
Suite 10
Concord, NH 03301-2429

New York State Public Service
Commission
Three Empire State Plaza
Albany, NY 12223-1350

Public Utilities Commission of
Ohio
180 East Broad Street
Columbus, OH 43215-3793

Oregon Public Utility
Commission
201 High Street, SE
Suite 100
Salem, OR 97301

Rhode Island Public Utilities
Commission
89 Jefferson Blvd.
Warwick, RI 02888

Mississippi Public Service
Commission
501 North West Street
Woolfolk State Office Bldg.
Jackson, MS 39201-1174

Nebraska Public Service
Commission
PO Box 94927
Lincoln, NE 68509-4927

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

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

South Carolina Public Service
Commission
101 Executive Center Drive,
Suite 100
Columbia, SC 29210-8411

South Dakota Public Utilities
Commission
State Capitol
500 East Capitol Avenue
Pierre, SD 57501-5070

Tennessee Public Utility
Commission
502 Deaderick Street
4th Floor
Nashville, TN 37243

Public Utility Commission of
Texas
1701 North Congress Avenue
Austin, TX 78701-3326

Public Service Commission of
Utah
160 East 300 South
4th Floor
Salt Lake City, UT 84111

Vermont Public Utility
Commission
112 State Street
4th Floor
Montpelier, VT 05620-2701

Virginia State Corporation
Commission
1300 East Main Street
Tyler Building
Richmond, VA 23219

Washington Utilities and
Transportation Commission
621 Woodland Square Loop SE
Lacey, WA 98503

Public Service Commission of
West Virginia
201 Brooks Street
Charleston, WV 25301

Public Service Commission of
Wisconsin
4822 Madison Yards Way
Madison, WI 53705

Wyoming Public Service
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2515 Warren Avenue
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Cheyenne, WY 82002

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87004

Stephen Lewis
Gila River Indian
Community of the Gila River
Indian Reservation
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Sacaton, Arizona, 85147

Minnesota Chippewa Tribe - Grand Portage Band	robertdeschampe@grandportage.com
Puyallup Tribe of the Puyallup Reservation	angel.robortiello@puyalluptribe-nsn.gov
Prairie Island Indian Community in the State of Minnesota	sbartell@piic.org
Shakopee Mdewakanton Sioux Community of Minnesota	annette.krebsbach@shakopeedakota.org
Yavapai-Prescott Indian Tribe	ejones@ypit.com;
Nez Perce Tribe	npotec@nezperce.org
Seminole Tribe of Florida (Big Cypress and Brighton Reservations)	Chairman@semtribe.com
Shoshone-Bannock Tribes of the Fort Hall Reservation	dboyer@sbtribes.com
Southern Ute Indian Tribe of the Southern Ute Reservation, CO	csage@southernute-nsn.gov
Ute Mountain Ute Tribe	mheart@utemountain.org

Coushatta Tribe of Louisiana	rrich@coushatta.org
Grand Traverse Band of Ottawa and Chippewa Indians, Michigan	David.Arroyo@gtbindians.com
Iowa Tribe of Kansas and Nebraska	trhodd@iowas.org
Jena Band of Choctaw Indians	Chief@jenachoctaw.org
Kickapoo Tribe of Indians of the Kickapoo Reservation in Kansas	Lester.Randall@ktik-nsn.gov
Prairie Band Potawatomi Nation	josephrupnick@pbpnation.org
Sac and Fox Nation of Missouri in Kansas and Nebraska	chief@sacandfoxnation-nsn.gov
Sault Ste. Marie Tribe of Chippewa Indians, Michigan	aaronpayment@saulttribe.net
Tunica-Biloxi Indian Tribe	msampson@paragoncasinoresort.com
Lower Sioux Indian Community in the State of Minnesota	robert.larsen@lowersioux.com
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Minnesota Chippewa Tribe - Leech Lake Band	faron.jackson@llojibwe.net
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Minnesota Chippewa Tribe - White Earth Band Minnesota Chippewa Tribe, Minnesota	michael.fairbanks@whiteearth-nsn.gov gfrazier@mnchippewatribe.org
Prairie Island Indian Community in the State of Minnesota	sbartell@piic.org
Red Lake Band of Chippewa Indians	dseki@redlakenation.org
Shakopee Mdewakanton Sioux Community of Minnesota	annette.krebsbach@shakopeedakota.org
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Kewa Pueblo, New Mexico (Pueblo of Santo Domingo)	info@kewa-nsn.us
Pueblo of Cochiti, New Mexico	governor@pueblodecochiti.org
Pueblo of Isleta, New Mexico	poigov@isletapueblo.com
Pueblo of Nambe, New Mexico	governor@nambepueblo.org
Pueblo of Picuris, New Mexico	governor@picurispueblo.org
Pueblo of Santa Ana, New Mexico	governors@santaana-nsn.gov
Pueblo of Taos, New Mexico	governor@taospueblo.org
Coquille Indian Tribe	tribalcouncil@coquilletribe.org
Cow Creek Band of Umpqua Tribe of Indians	vpence@cowcreek.com
Lower Brule Sioux Tribe of the Lower Brule Reservation, SD	Chairman@lbt.org
Burns Paiute Tribe	bptribalcouncil@burnspaiute.onmicrosoft.com
Confederated Tribes of Warm Springs	info@warmsprings.com
Confederated Tribes of the Grand Ronde Community of Oregon	cheryle.kennedy@grandronde.org
Confederated Tribes of Siletz Indians of Oregon	dpigsley@msn.com ; BrendaB@ctsi.nsn.us

Confederated Tribes of the Umatilla Indian Reservation Klamath Tribes	katbrigham@ctuir.org
Las Vegas Tribe of Paiute Indians of the Las Vegas Indian Colony	btso@lvpaiute.com
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