

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

**RECEIVED**  
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UTILITIES COMMISSION

\_\_\_\_\_ )  
In the Matter of )  
 )  
Section 63.71 Application of )  
Mitel Cloud Services Inc. ) WC Docket No. \_\_\_\_\_ )  
 )  
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. )

**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 31<sup>st</sup> 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 31<sup>st</sup>, 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.<sup>1</sup>

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.

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<sup>1</sup> 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 31<sup>st</sup>, 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.<sup>1</sup>**

<sup>1</sup> 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 31<sup>st</sup> shutdown date, Mitel anticipates that carriers will continue to notify us of disconnects and price increases between the date of this announcement and December 31<sup>st</sup>. 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 30<sup>th</sup>, 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 30<sup>th</sup>, 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 Defense<sup>2</sup>.

/s/ Michael P. Donahue  
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Counsel for Mitel Cloud Services Inc.

Dated: August 16, 2022

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<sup>2</sup> 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

Regulatory Commission of Alaska  
701 West 8th Avenue  
Suite 300  
Anchorage, AK 99501-3469

Arizona Corporation  
Commission  
1200 West Washington  
Street  
Phoenix, AZ 85007-2996

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

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

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

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

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

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

Georgia Public Service  
Commission  
244 Washington Street  
Atlanta, GA 30334

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

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

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

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

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

Iowa Utilities Board  
1375 E. Court Avenue  
Des Moines, IA 50319

Kentucky Public Service  
Commission  
211 Sower Boulevard  
Frankfort, KY 40601

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

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

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

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

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

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

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

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

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

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

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

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

North Carolina Utilities  
Commission  
4325 Mail Service Center  
Raleigh, NC 27699-4300

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

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

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

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

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

Pennsylvania Public Utility  
Commission  
PO Box 3265  
Harrisburg, PA 17105

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

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

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  
Commission  
2515 Warren Avenue  
Suite 300  
Cheyenne, WY 82002

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87506

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481 Sandia Loop,  
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87004

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Gila River Indian  
Community of the Gila River  
Indian Reservation  
P.O. Box 97,  
Sacaton, Arizona, 85147

Minnesota Chippewa Tribe - Grand Portage Band	robertdeschampe@grandportage.com
Puyallup Tribe of the Puyallup Reservation	angel.robertiello@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	npfec@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
Minnesota Chippewa Tribe - Bois Forte Band (Nett Lake)	Chavers@boisforte-nsn.gov
Minnesota Chippewa Tribe - Fond du Lac Band Minnesota	kevindupuis@fdlrez.com
Chippewa Tribe - Grand Portage Band Minnesota Chippewa	robertdeschampe@grandportage.com
Minnesota Chippewa Tribe - Leech Lake Band	faron.jackson@llojibwe.net
Minnesota Chippewa Tribe - Mille Lacs Band Minnesota	melanie.benjamin@millelacsband.com
Minnesota Chippewa Tribe - White Earth Band Minnesota Chippewa Tribe, Minnesota	michael.fairbanks@whiteearth-nsn.gov gfrazier@mnchippewatribe.org
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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
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Lower Brule Sioux Tribe of the Lower Brule Reservation, SD	Chairman@lbt.org
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Confederated Tribes of the Grand Ronde Community of Oregon	cheryle.kennedy@grandronde.org
Confederated Tribes of Siletz Indians of Oregon	<a href="mailto:dpigsley@msn.com">dpigsley@msn.com</a> ; BrendaB@ctsi.nsn.us

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Confederated Tribes of the Chehalis Reservation	chairman@chehalis tribe.org
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Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin	marlon.whiteeagle@ho-chunk.com
Lac du Flambeau Band of Lake Superior Chippewa Indians of the Lac du Flambeau Reservation of Wisconsin	louis.taylor@lco-nsn.gov
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Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin	thill7@oneidanation.org
St. Croix Chippewa Indians of Wisconsin	chris.boyd@redcliff-nsn.gov
Paiute Indian Tribe of Utah (Cedar Band of Paiutes, Kanosh Band of Paiutes, Koosharem Band of Paiutes, Indian Peaks Band of Paiutes, and Shivwits Band of Paiutes)	williamr@stcroixojibwe-nsn.gov
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