

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Cancellation of the)
Certificate of Service Authority of)
Access Point, Inc.)

File No. LD-2020-0XXX
Tariff No. JC-2010-0225

MOTION TO CANCEL CERTIFICATE OF SERVICE AUTHORITY

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and moves for the Missouri Public Service Commission (Commission) to cancel the certificates of service authority to provide interexchange and competitive local exchange services of Access Point, Inc., (Company) and states:

1. The Commission previously granted a certificate to the Company on June 2, 2008, to provide competitive local exchange services and intrastate interexchange service authority in Case No. CA-2008-0336.

2. The Company notified the Commission on July 25, 2019, that it wished to voluntarily relinquish its authority in a letter filed with the Commission as non-case filing BCES-2020-0037 and attached here for reference. The Company also has an applicable tariff, PSC MO No. 3.

3. Pursuant to 4 CSR 240-28.011(3) notice shall be provided to the Commission to cancel certification(s) or registration(s) previously granted by the Commission. Notice should comply with the following requirements: (A) The company should submit written notice to the commission, as in a letter, containing the following information: (1) a statement requesting cancellation of a company's certification or registration and citing the specific certificates of service authority and/or registrations; (2) If the company also has a currently effective tariff, then the letter should also request cancellation of the tariff; (B) The letter can be signed by a company official and does not

need to be signed or filed by an attorney; and (C) The letter should be electronically filed in EFIS.

4. The Commission has the authority to cancel a telecommunications certificate pursuant to Section 392.410.5 RSMo 2000, which provides “[a]ny certificate of service authority may be altered or modified by the commission after notice and hearing, upon its own motion or upon application of the person or company affected.”

5. The Commission need not hold a hearing, if, after proper notice and opportunity to intervene, no party requests such a hearing. *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494 (Mo. App. W.D. 1989).

WHEREFORE, Staff respectfully recommends the Commission cancel the certificates of service authority to provide interexchange and competitive local exchange services and applicable tariff of Access Point, Inc.; and grant such other and further relief as the Commission finds just in the circumstances.

Respectfully submitted,

/s/ Whitney Payne

Whitney Payne
Senior Counsel
Missouri Bar No. 64078
Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 751-8706 (Telephone)
(573) 751-9285 (Fax)
whitney.payne@psc.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, on this 29th day of July, 2019, to all counsel of record.

/s/Whitney Payne



151 Southhall Lane, Ste 450
Maitland, FL 32751
P.O. Drawer 200
Winter Park, FL 32790-0200
www.inteserra.com

July 25, 2019
Via Web Filing

Mr. Morris Woodruff, Executive Secretary
Missouri Public Service Commission
200 Madison Street
Suite 500
Jefferson City, MO 65102-0360

**RE: Access Point, Inc.
Request for Cancellation
Case Nos. TA-98-106 and CA-2008-0336**

Dear Mr. Woodruff:

Please find the original of this letter and the Request for Cancellation submitted on behalf of Access Point, Inc. ("Access Point" or "Company") requesting cancellation of its authority to provide Local and Interexchange telecommunications services within the State of Missouri and withdrawal of any applicable tariffs effective December 31, 2018.

Any questions you may have regarding this filing should be directed to my attention at 407-740-3031 or via email to Sthomas@inteserra.com. Thank you for your assistance in this matter.

Sincerely,

/s/ Sharon Thomas

Sharon Thomas
Consultant

cc: Office of Public Counsel

tms: MOx1901

Enclosures
ST/cc

ACCESS POINT, INC.
REQUEST FOR CANCELLATION

Access Point, Inc. (“API” or “Company”) hereby notifies the Commission that as of January 1, 2019, API no longer provides telecommunications services in Missouri and therefore requests that the Commission cancel its Certificates of Public Convenience and Necessity (“Certificate”) effective December 31, 2018, or the earliest possible date permitted.

I. DESCRIPTION OF THE COMPANY

Access Point, Inc. is a North Carolina corporation with headquarters at 1100 Crescent Green, Suite 109, Cary, NC 27518. The Commission granted API a Certificate to provide Interexchange Telecommunications in Case No. TA-98-106 on October 23, 1997, and a Certificate to Provide Basic Local Exchange Telecommunications Service in Case No. CA-2008-0336 on June 12, 2008.

As result of a transaction completed on October 1, 2018, the Company is a direct, wholly owned subsidiary of GTT Americas, LLC (“GTТА”). GTТА is a Delaware limited liability company and direct, wholly-owned subsidiary of GTT Communications, Inc. (“GTT”), a publicly-traded Delaware corporation (NYSE: GTT). Both GTТА and GTT are headquartered at 7900 Tysons One Place, Suite 1450, McLean, Virginia 22102. GTT, through its subsidiaries including GC Pivotal, LLC (“GC Pivotal”), is a global provider of cloud networking services.

GC Pivotal is a Delaware limited liability company with headquarters at 7900 Tysons One Place, Suite 1450, McLean, Virginia 22102. GC Pivotal is a direct, wholly-owned subsidiary of GTТА and an indirect, wholly-owned subsidiary of GTT. The Commission granted GC Pivotal a Certificate to provide Local Exchange and Interexchange Telecommunications Services within the State of Missouri in File No. LA-2011-0297 on May 23, 2011. GC Pivotal brings together customers and suppliers in an automated platform that provides ubiquitous access network solutions. GC Pivotal provides simple, cost-effective and high-performance network solutions that support the exploding bandwidth requirements driven by Cloud, mobility and globalization. GC Pivotal delivers its solutions to telecommunication carriers, managed service providers, application service providers, and enterprise customers throughout the United States.

II. DESIGNATED CONTACT

Questions, correspondence or other communications concerning this filing should be directed to:

Sharon Thomas
Consultant
Inteserra Consulting Group, Inc.
151 Southhall Lane, Suite 450
Maitland, FL 32751
407-740-3031
stthomas@inteserra.com

III. REQUEST FOR CANCELLATION

In order to provide more effective billing and customer service support to the commercial and enterprise customers that constitute API's former customer base, effective January 1, 2019, GC Pivotal became the service provider of record for the customers of API. As a result, API no longer provides telecommunications services in Missouri and therefore requests that the Commission cancel its Certificate and tariff(s) effective December 31, 2018, or the earliest possible date permitted.

As of January 1, 2019, GC Pivotal provides telecommunications services to API's customers pursuant to GC Pivotal's Certificate under the same rates, terms and conditions as the services previously provided by API. In addition, API's customers received prior notice of the change in their provider. The change in provider, therefore, was seamless to customers and the requested cancellation is merely an administrative step. Further, the financial, technical, and managerial resources of GTT, combined with the capabilities of GC Pivotal's telecommunications network will benefit the customer base previously served by API, enhancing their billing and customer service experience and giving them access to the network solutions available from GC Pivotal.

Effective with revenues billed in January 2019, all revenues, customer lines and any associated assessments previously reported and remitted by API will be reported and remitted by GC Pivotal. Further, to the extent that API had any outstanding obligations, including deposits, to any customers, GC Pivotal is now responsible for such obligations. Since API no longer provides telecommunications services in Missouri, and GC Pivotal provides telecommunications services to API's customers pursuant to the same rates, terms and conditions of service, the cancellation of API Certificate will serve the public interest. API, therefore, requests that the Commission act on this request as soon as practicable.

Respectfully Submitted,



Sharon Thomas, Consultant
Inteserra Consulting Group, Inc.
151 Southhall Lane, Suite 450
Maitland, FL 32751
Phone: (407) 740-3031
Fax: (407) 740-0613
E-Mail: sthomas@inteserra.com