

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

In the Matter of the Cancellation of the)
iVoIP Registration of Toshiba America)
Information Systems, Inc.)

File No. DD-2019-0XXX

MOTION TO CANCEL REGISTRATION

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and moves for the Missouri Public Service Commission (Commission) to cancel the iVoIP registration in Missouri of Toshiba America Information Systems, Inc., (Company) and states:

1. On March 4, 2012, the Commission granted a registration of authority to provide interconnected voice over internet protocol (iVoIP) service in Case No. DA-2012-0355, to the Company.

2. On April 25, 2018, the Company notified the Commission that it no longer wished to retain its registration to provide iVoIP services in Missouri in a letter filed as non-case filing BMGR-2018-1609, and attached here as Appendix A.

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 company properly submitted a letter to the Commission, filed in the Commission's Electronic Filing and Information System (EFIS), bearing a request for cancellation of its authority to provide VoIP services in Missouri and signed by an officer of the company in accordance with the Commission Rule. The Company does not have a currently effective tariff.

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 Toshiba America Information Systems, Inc.'s authority to provide iVoIP service in Missouri.

Respectfully submitted,

/s/ Whitney Payne

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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 6th day of May, 2019, to all counsel of record.

/s/ Whitney Payne

July 14, 2017

VIA FEDERAL EXPRESS

Office of the Secretary
Missouri Public Service Commission
200 Madison Street
P.O. Box 360
Jefferson City, MO 65102-0360

**Re: Notification of Transfer of Assets of Toshiba America Information Systems, Inc.
to Mitel Cloud Services, Inc.**

Dear Sir or Madam:

Toshiba America Information Systems, Inc. ("TAIS," the "Company" or "Transferor") and Mitel Cloud Services, Inc. ("Mitel" or "Transferee," collectively the "Parties"), by undersigned counsel, hereby notify the Missouri Public Service Commission ("Commission") of the transfer of certain assets of TAIS, including TAIS' interconnected VOIP service customer base, to Mitel ("Transaction"). It is the Parties' understanding that Commission approval is not required to complete the Transaction described herein. The Parties submit this letter for informational purposes only to ensure the continuing accuracy of the Commission's records.

Please date-stamp and return the extra copy of this filing in the enclosed self-addressed, postage pre-paid envelope.

I. DESCRIPTION OF THE TRANSACTION

Pursuant to an agreement executed between TAIS and Mitel, Mitel acquired certain assets of TAIS, including TAIS' cloud communications operations and interconnected VOIP service customer base. Effective July 1, 2017, Mitel will assume all regulatory compliance responsibilities associated with the provision of interconnected VOIP services to customers in the state. However, according to the terms of the Agreement, TAIS will serve as the billing agent and customer service manager on behalf of Mitel for an interim period in order to facilitate a smooth transition. At the conclusion of the interim transition period, Mitel will assume all billing and support duties.

Customers have been provided with notification of the Transaction, and Mitel will provide a subsequent notification to customers upon the close of the interim transition period.

II. PUBLIC INTEREST STATEMENT

The Transaction will serve the public interest by enhancing the ability of Mitel to expand its operations and compete more effectively in the telecommunications marketplace. The Transaction will not affect the services customers currently receive, nor will there be an interruption in customers' service. The agreement between Mitel and TAIS has been structured so that the transfer of service will be virtually seamless to consumers. After the Transaction, customers will continue to receive

service at the same rates, terms and conditions. Mitel will not impose any charges for the transfer of service.

III. CONTACTS

For the purposes of this Notice, questions or any correspondence, orders, or other materials should be directed to the following:

Transferor:

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Vice President of Legal and Administration, General Counsel & Secretary
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With a copy to Counsel:

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Facsimile: (703) 563-6222
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Transferee:

Legal Department – Director, Contract Management Group (CMG)
Mitel Cloud Services, Inc.
1146 North Alma School Rd
Mesa, AZ 85201
Telephone: (480) 961-9000

IV. CONCLUSION

For the reasons stated above, the Parties respectfully submit that the public interest, convenience, and necessity would be furthered by the Transaction. Accordingly, the Parties respectfully advise the Commission of its participation in the Transaction as described above.

Respectfully submitted,



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