



Control Number: 43908



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Public Utility Commission of Texas

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TITLE PAGE

APPLICATION FOR CERTIFICATION, RE-QUALIFICATION, OR AMENDMENT TO A SERVICE PROVIDER CERTIFICATE OF OPERATING AUTHORITY OR A CERTIFICATE OF OPERATING AUTHORITY

DOCKET/PROJECT NO. 43908

APPLICANT(s): **Vodafone US Operations Inc. ("VUSO")**

Authorized Representative for this Application:

NAME: **Denise Smith**
TITLE: **Counsel**
ADDRESS: **Kelley Drye & Warren LLP, 3050 K Street N.W., Suite 400,
Washington, D.C. 20007**
TELEPHONE: **202.342.8614**
FAX: **202.342.8451**
EMAIL ADDRESS: **dsmith[at] kelleydrye [dot] com**

Regulatory Representative:

NAME: **Blair Rosenthal**
TITLE: **Assistant General Counsel**
ADDRESS: **999 18th Street, Suite 1750, Denver, CO 80202**
TELEPHONE: **303.293.5832**
FAX: **303.296.3178**
EMAIL ADDRESS: **blair [dot] rosenthal [at] Vodafone [dot] com**

Complaint Representative:

NAME: **Customer Service Department**
TITLE: **Manager**
ADDRESS: **560 Lexington Avenue, 9th Floor, New York, NY 10022**
TELEPHONE: **303.293.5832**
FAX: **212.731.2699**
EMAIL ADDRESS: **inquiries-vusi@Vodafone.com**

1. Check only one of the following Requests:

(a)

____ New SPCOA Application

____ **X** Application

Amending SPCOA No. **60666**

____ New COA Application

____ Application

Amending COA No. ____

(b) If you are filing an amendment, check one or more of the following as requests made in this amendment filing:

____ Name Change Amendment

____ **X** Certification Relinquishment

____ Change in Ownership/Control

____ Service Discontinuation

____ Change in Service Area

____ Change in Type of Provider

____ Corporate Restructuring

____ Other

(c) Provide a summary explanation of all items checked in "b" above.

Vodafone US Operations Inc. ("VUSO") does not provide any regulated services in Texas and seeks to relinquish its SPCOA certificate. VUSO provides nonswitched private line services to customers in Texas. Section 54.003(2) of the Public Utility Regulatory Act, explicitly exempts nonswitched private line services from the services for which a certificate of authority is required. Accordingly, VUSO is not required to have a certification from the Texas Public Utility Commission for the services the company provides and VUSO seeks to relinquish its certificate.

2. Provide a description of the Applicant, which shall include the following:

(a) Legal name and all assumed names under which the Applicant conducts business, if any; **Vodafone US Operations Inc.**

(b) Address of principal office and business office;

20110 Ashbrook Place, Suite 170, Ashburn, VA 20147

(c) Principal office/business office telephone number: **(212) 574-3055**

Fax number: **(212) 239-3587**

Website address: **http://www.cw.com**

E-mail address: **blair.rosenthal@Vodafone.com**

Toll-free customer service telephone number. *(If the Applicant has not obtained the toll-free customer service telephone number at the time of the Application, the Applicant must commit to obtaining one before beginning business);* **855.377.8360.**

(e) Form of business in Texas (e.g., corporation, partnership, sole proprietorship), Charter/Authorization number, date business was formed and date change was made (if applicable). Provide the State and date in which the parent company is registered. *(The Commission requires registration with the Secretary of State for all forms of business, except sole proprietorships.)*

Applicant is a corporation organized under the laws of the State of Delaware on June 13, 2003. Registration with the Texas Secretary of State was authorized under file number: 800231644. Applicant's ultimate parent corporation, Vodafone Europe B.V., is domesticated in the United Kingdom.

(h) Legal name of parent company, if any, and a description of its primary business interests; and,

VUSO is an indirect, wholly-owned subsidiary of Vodafone Group Plc ("Vodafone"), a British multinational telecommunications company based in London.

(i) Legal name of all affiliated companies that are public utilities or that are providing telecommunications services and the states in which they are providing service. Give a description of all affiliates and explain in detail the relationship between the Applicant and its affiliates. An organizational chart should be provided, if available.

Vodafone US Inc. is an affiliate provider of telecommunications services, under common ownership of Vodafone Group Plc. The Company has not yet initiated the provision of telecommunications services in any state.

3. State the name **and only one name**, in which the Applicant wants the Commission to issue its certificate. Provide the following information from the Applicants registration with the Office of the Secretary of State of Texas or registration with another state or county, as applicable: *(NOTE: If the Applicant is a corporation, the Commission will issue the certificate in either the Applicant's corporate or assumed name, not both. The certificate holder must use only the name approved by the Commission on all bills and advertisements sent to or viewed by the public. Name Changes require Commission Approval as well as Secretary of State Approval.)*

- (a) Requested name: **Vodafone US Operations Inc.**
- (b) Assumed names: **Inapplicable**
- (c) Texas Secretary of State (or County) file number: **800231644**
- (d) Texas Comptroller's Tax Identification number: **19805107422**
- (e) Other Applicable certification/file numbers: **Inapplicable**
- (f) Date the business was registered: **April 1, 2014**

13. (a) Any complaint history, disciplinary record and compliance record during the 60 months immediately preceding the filing of the application regarding: the applicant; the applicant's affiliates that provide utility-like services such as telecommunications, electric, gas, water, or cable service; the applicant's principals; and any person that merged with any of the preceding persons. The information should include, but not be limited to, the type of complaint, in which state or federal agency the complaint was made, the status of the complaint, the resolution of the complaint and the number of customers in each state where complaints occurred.

VUSO was the subject of a compliance proceeding at the California Public Utilities Commission which resulted in the cancellation of its resold interexchange registration. Neither VUSO's affiliate nor its principals nor any person that merged with any of the preceding persons has any complaint history, disciplinary record and/or compliance record to report.

- (b) Is the Applicant, or the applicant's principals currently under investigation or have the Applicant or its principals been penalized by an attorney general or any state or federal regulatory agency for the violation of any deceptive trade or consumer protection law or regulation? If yes, please explain.

Neither Applicant nor its principals are currently under investigation nor have the Applicant or its principals been penalized by an attorney general or any state or federal regulatory agency for the violation of any deceptive trade or consumer protection law or regulation.

- (c) Disclose whether any owners, directors, officers, or partners in the organization are convicted felons? Also disclose whether the applicant or applicant's principals have been convicted or found liable for fraud, theft, larceny, deceit, or violations of any securities laws, customer protection laws, or deceptive trade laws in any state. If yes, please explain.

None of the Applicant's owners, directors, officers, or partners are convicted felons. Neither the Applicant nor its principals have been convicted or found liable for fraud, theft, larceny, deceit, or violations of any securities laws, customer protection laws, or deceptive trade laws in any state.

- (d) Provide the number of customers per state (including Texas) for the past 60 months, for which the Applicant, its parent company, and/or any affiliates are providing telecommunications services.

Applicant does not provide telecommunications services to any customers in Texas. The services VUSO provides in Texas are private line services which are not subject to Commission regulation. Applicant's affiliate is not yet providing telecommunications in any state. The Company's parent does not provide telecommunications services in the United States.

18. If you are relinquishing your certificate or discontinuing service, provide a copy of the customer notification (minimum of 61 days notice) sent to each customer indicating the intent of the Applicant to discontinue service. Notice shall, at a minimum, contain the following information:
- (a) The approximate date the Applicant intends to discontinue service(s) or operations.
 - (b) A description of any arrangements that will be made by the Applicant to transfer customers to a carrier of their choice and how, if no choice is made by the customer, the Applicant will transfer the customer to a carrier of last resort.
 - (c) A description of how and when deposits and credits will be returned to customers. And a statement that deposits and credits shall be returned to customers within 60 days of the notification to relinquish certification, or within 30 days of the notification of service(s) discontinuation.
 - (d) A statement that any switchover fees shall be paid by the Applicant for customers to be transferred to the carrier of their choice.

Applicant is seeking to relinquish its certificate because the services it provides are not regulated and do not require a certificate of authority from the Texas Public Utility Commission. VUSO will not be discontinuing the provision of these unregulated services. Accordingly, VUSO has not provided notice of discontinuance to its customers.

19. If you are relinquishing your certificate, provide a statement that the Applicant shall notify the Texas Comptroller's Office, Texas Secretary of State, and the administrator of the Texas Universal Service Fund of its Application within 5 days of filing the Application.

Applicant will notify the Texas Comptroller's Office, Texas Secretary of State, and the administrator of the Texas Universal Service Fund of its Application within 5 days of filing the Application.

20. If you are relinquishing your certificate or discontinuing service, provide a statement that the Applicant shall return deposits and credits to the customers.

To the extent Applicant had collected any deposits, or owed any credits, for regulated services provided in the past, Applicant will return those deposits and credits.

21. If you are relinquishing your certificate, provide a statement that the Applicant shall void all interconnection agreements upon Commission approval of an Application to relinquish certification.

Applicant will void any interconnection agreements it has in Texas upon Commission approval of relinquishment of VUSO's certification.

AFFIDAVIT


STATE OF COLORADO §
COUNTY OF DENVER §

1. My name is Megan Doberneck. I am Treasurer of the Applicant Vodafone US Operations Inc.


2. I swear or affirm that I have personal knowledge of the facts stated in this Application to Relinquish Service Provider Certificate of Operating Authority, that I am competent to testify to them, and that I have the authority to make this Application on behalf of the Applicant. I further swear or affirm that all of the statements and representations made in this Application to Relinquish Service Provider Certificate of Operating Authority are true and correct. I swear or affirm that the Applicant understands and will comply with all requirements of law applicable to a Service Provider Certificate of Operating Authority.

Dated this 24th day of November, 2014.

Vodafone US Operations Inc.

By: 
Megan Doberneck

Subscribed and sworn to before me this 24th day of November, 2014.


Notary Public in and for the State of Virginia,
COLORADO

My Commission expires: April 24, 2016

SEAL

