

Control Number: 43908



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DOCKET NO. 43908

**APPLICATION OF VODAFONE US
OPERATIONS INC. TO RELINQUISH
ITS SERVICE PROVIDER
CERTIFICATE OF OPERATING
AUTHORITY**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

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COMMISSION STAFF'S FINAL RECOMMENDATION


Staff recommends approval of Vodafone US Operations Inc.'s application to relinquish Service Provider Certificate of Operating Authority (SPCOA) No. 60666, based on the attached memoranda Gordon Van Sickel and Diane Hopingardner.

Dated: January 13, 2015

Respectfully Submitted,

Margaret Uhlig Pemberton
Division Director-Legal Division

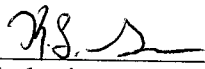
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CERTIFICATE OF SERVICE

I certify that a copy of this document will be served on all parties of record on January 13, 2015 in accordance with P.U.C. Procedural Rule 22.74.



Katherine Lengieza Gross

Public Utility Commission of Texas

Memorandum

TO: Jaci Caldwell and Katherine Gross – Legal Division
FROM: Gordon H. Van Sickle, Senior Utility Analyst – Competitive Markets Division *SVS pbs*
DATE: January 13, 2015
SUBJECT: Docket No. 43908: *Application of Vodafone US Operations Inc. to Relinquish its Service Provider Certificate of Operating Authority*

Summary of Conclusions and Recommendations

Staff (Staff) of the Public Utility Commission of Texas (commission) finds that Vodafone US Operations Inc. has met the technical criteria to relinquish its existing Service Provider Certificate of Operating Authority (SPCOA), pursuant to the Public Utility Regulatory Act (TEX. UTIL. CODE ANN. §§ 54.251 - 54.253) (PURA). Vodafone US Operations Inc. does not provide any regulated services in Texas. They provide non-switched private line services, which are exempted from certification by PURA Sec. 54.003(2). Since they are not providing a regulated service there is no need for them to have a SPCOA; therefore, they are relinquishing their existing SPCOA No. 60666. Staff recommends that Vodafone US Operations Inc. be deemed technically compliant with the relinquishment criteria set out in Substantive Rule 26.111 and that the relinquishment of SPCOA No. 60666 be granted.

Background Information on Application

On December 5, 2014, Vodafone US Operations Inc. filed an application requesting the relinquishment of SPCOA No. 60666. Order No. 1 was issued on December 9, 2014, setting a procedural schedule, establishing procedures, and setting deadline to request a protective order.

Description of Services

Vodafone US Operations Inc. was granted SPCOA No. 60666 in Docket No. 28634 on November 12, 2003.

Additional Information Requested for Technical Review

No additional technical information was requested from Vodafone US Operations Inc. concerning this relinquishment application.

Technical Qualifications

The Commission requires that a company notify other State Agencies of its intentions to stop doing business in Texas. Vodafone US Operations Inc. stated that it notified the 911 Commission within 5 days of filing at the Commission. Vodafone US Operations Inc. stated that it notified the Texas Secretary of State, Texas Comptroller's Office and the Administrator of the Texas Universal Fund (Solix, Inc.) concerning this relinquishment.

Compliance Check

Staff checked the database of the Customer Protection Division (CPD) and determined that Vodafone US Operations Inc. had zero complaints for the previous 60 months. Vodafone US Operations Inc. provided its number of regulated customers as zero for the past 60 months. The complaint to customer ratio is below 6%; therefore no further investigation is warranted.

A check of the PUC Oversight & Enforcement Database revealed that Vodafone US Operations Inc. does not have any outstanding notices of violation (NOVs).

Vodafone US Operations Inc. is currently in compliance concerning its CLEC Annual Reporting requirements.

A check of the Texas Secretary of State's (SoS) Database shows that Vodafone US Operations, Inc. is a Delaware Corporation that was established as of June 25, 2003. The Secretary of State (SoS) issued an authorization to transact business in the State of Texas to Vodafone US Operations, Inc. under file number 800231644 as a Foreign For-Profit Corporation as of August 4, 2003 and is currently "**TERMINATED**". Texas SoS approved D/B/A: None. PUC approved D/B/A: None.

A check of the Texas Comptroller's Office concerning the Franchise Tax Account Status for Vodafone US Operations, Inc. (Taxpayer ID# 12001187298) revealed the following: **ACTIVE**.

Conclusion

Based on the information provided by the Applicant; Staff finds that the public interest has been addressed concerning the relinquishment of SPCOA No. 60666. All state agency notices were sent notice by Vodafone US Operations Inc. Vodafone US Operations Inc. stated that there were no deposits or credits; therefore, there was nothing to return. Vodafone US Operations Inc. will void all interconnection agreements in conjunction with SPCOA No. 60666. Staff recommends granting the relinquishment of SPCOA No. 60666.

Public Utility Commission of Texas

Memorandum

TO: Katherine Gross, Attorney, Legal Division
FROM: Diane Hopingardner, Competitive Markets Analyst, Competitive Markets Division *DH*
DATE: January 13, 2015
RE: Docket No. 43908, Application of *Vodafone US Operations Inc. for Amendment to Service Provider Certificate of Operating Authority*

Recommendation

Regarding Approval of Financial Analysis for Application of Relinquishment of SPCOA Certification

Applicant's Request

On December 5, 2015, Vodafone US Operations Inc. ("Vodafone" or "Applicant") filed an application requesting relinquishment of its Service Provider Certificate of Operating Authority (SPCOA) No. 60666. Order No. 1 states that the Commission Staff shall file a recommendation on or before January 13, 2015.

Analysis

The Applicant states that it does not provide any telecommunication services in Texas and is not required to have certification for the private line services that the company provides. A review of the Commission's complaint database indicates the Customer Protection Division has not received any customer complaints against Vodafone around the time of Applicant's notification to relinquish its certificate. No market participants have filed a petition for relief regarding the Applicant.

Recommendation

I recommend that this application be approved from a financial perspective.