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Via Electronic Submission and U.S. Mail

December 7, 2017

Walter L. Thomas, Jr.
Secretary
Alabama Public Service Commission
RSA Building
100 North Union Street, Suite 850
Montgomery, Alabama 36101

RE: Request for Deregulation Pursuant to the Alabama Communications Reform Act

Dear Mr. Thomas:

Network Billing Systems, LLC dba Fusion dba Solex (“NBS”), pursuant to the Alabama Communications Reform Act of 2005, as amended, (the “Act”)¹ the Alabama Public Service Commission’s (“Commission”) *Implementation Order* in Docket 29733² and *Report and Order* in Docket 26705,³ hereby respectfully requests deregulation of its retail telecommunications services and withdrawal of the Company’s Alabama P.S.C. Tariff No. 1 retail tariff. In support of its request, NBS states as follows.

On November 28, 2017, the Commission amended NBS’ Certificate of Public Convenience and Necessity (“CPCN”) to provide Telephone Toll Resale Service in all areas of the State of Alabama, by authorizing NBS to provide Local Exchange Service in the State of Alabama. Ordering paragraph 2 of the Commission’s *Report and Order* granting the Company’s amended CPCN directs NBS to file with the Commission, “a final tariff governing said services which has been approved by the Commission ...” within one year following the date of the *Report and Order*.

¹ [Ala. Code §37-2A-1](#)(2013) and [Ala. Code §37-2A-5](#), Process for Election.

² *Generic Proceeding to Consider Implementation of the Communications Reform Act of 2005*, Docket No. 29733, [Implementation Order](#) (2006) [*Implementation Order*]

³ *Network Billing Systems, LLC, d/b/a Fusion D/B/A Solex, Petition: To amend its existing Certificate of Public Convenience and Necessity to Include the provision of Competitive Local Exchange Service within the State of Alabama*, Docket 26705, *Report and Order*, (November 28, 2017) [*Report and Order*].

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Ala. Code §37-2A-5(d) allows entities not certified to provide local exchange service on August 1, 2005 to “make an election as to the form of regulation ... not later than 30 days after the Commission issues a certificate to provide service.” Pursuant to Ala. Code §37-2A-5(d) NBS respectfully requests deregulation of its retail telecommunications services at this time in lieu of a tariff submission. NBS further requests that its retail interexchange tariff, Alabama P.S.C. No. 1, be withdrawn upon a grant of the Company’s request.

NBS has prepared an Alabama Service Guide, which sets forth the rates, terms, and conditions of its retail services provided in Alabama. The Company’s Alabama Service Guide includes those rates, terms, and conditions appearing in the Company’s proposed local exchange tariff, Alabama P.S.C. No. 2 that had been submitted as Attachment F to the Company’s *Application for Expanded Certificate of Public Convenience and Necessity to Provide Competitive Local Exchange Telecommunications Services in the State of Alabama* in Docket 26705 and interexchange services as have been included in its Alabama (Tariff) P.S.C. No. 1. The Company’s Service Guide is accessible at the Company’s web site, <http://www.fusionconnect.com/regulatory-tariffs>.

NBS acknowledges that following deregulation, the Commission retains exclusive complaint authority and jurisdiction over the telecommunications services the Company provides in Alabama and over the Company’s compliance with the Federal Communications Commission’s Truth-In-Billing requirements as set forth in 47 C.F.R. §§64.2400 *et seq.*

Thank you for your attention to this matter. Questions may be directed to the undersigned.

Sincerely,

MILLER ISAR, INC.

/s/ Andrew O. Isar

Andrew O. Isar

Regulatory Consultants to
Network Billing Systems, LLC dba Fusion dba Solex