## The Public Utilities Commission of Ohio

## TELECOMMUNICATIONS FILING FORM

(Effective: 04-01-2020)

#### Per the Commission's 5/29/2019 "Implementation Order" in Case No. 19-0173-TP-ORD

This form is intended to be used with most types of required filings. It provide check boxes with rule references for the most common types of filings. It does not replace or supersede Commission rules in anyway.

In the Matter of Notice of Transfer of Subscriber from Call One,	)	TRF Docket No. 90-9358-TP-TRF
Inc. to Peerless Network, Inc.	)	Case NoTP-
	)	NOTE: Unless you have reserved a Case #, leav
	)	the "Case No." field BLANK.
Name of Registrant(s) <u>Peerless Network, Inc.</u>		
DBA(s) of Registrant(s) Peerless Network of Ohio, LLC		
Address of Registrant(s) 222 S. Riverside Plaza, Suite 1900, Chicag	o IL 60606	
Company Web Address https://www.peerlessnetwork.com/	,	
Regulatory Contact Person(s) Julie Oost	Phone (3	<u>12)</u> <u>506-0939</u>
Regulatory Person's Email Address	<b>\_</b>	<u> </u>
regulatory@peerlessnetwork.com		
Contact Person for Annual Report Julie Oost		Phone (312) 506-0939
Consumer Contact Information https://www.peerlessnetwork.com	n/contact-us/	Phone (888) 662-7757
Address (if different from above) Click here to enter text.		\
Motion for protective order included with filing? $\Box$ Yes $\boxtimes$ No		
Motion for waiver(s) filed affecting this case? $\square$ Yes $\boxtimes$ No [Note:	Waivers may	toll any automatic timeframe.]
Notes:		
Sections I and II are pursuant to Ohio Administrative Code (OAC)	4901:1-6.	
Section III – Part I - Carrier to Carrier is pursuant to OAC 4901:1-7		tachment to OAC <u>4901:1-3</u>
Section III – Part II - Wireless is pursuant to OAC <u>4901:1-6-24</u> .		
Section IV – Attestation.		

- (1) Indicate the Carrier Type and the reason for submitting this form by checking the boxes below.
- (2) For requirements for various applications, see identified section of the Ohio Administrative Code Chapter 4901 and/or the supplemental application form noted.
- (3) Information regarding the number of copies required by the PUCO may be obtained from the PUCO's website at <a href="https://www.PUCO.ohio.gov">www.PUCO.ohio.gov</a> under the docketing information system section (Procedural filing requirements), by calling the Docketing Division at 614-466-4095 or by visiting the Docketing Division at the offices of the PUCO.
- (4) An Incumbent Local Exchange Carrier (ILEC) offering basic local exchange service (BLES) outside its traditional service area should choose CLEC designation when proposing to offer BLES outside its traditional service area or when proposing to make changes to that service.

#### All filings that result in a change to one or more tariff pages require, at a minimum, the following exhibits:

Exhibit	Description:
A	The tariff pages subject to the proposed change(s) as they exist before the change(s).
The tariff pages subject to the proposed change(s), reflecting the change, with the change(s) marked	
Б	margin.
С	A short description of the nature of the change(s), the intent of the change(s), and the customers affected.

D A copy of the notice provided to customers, along with an affidavit that the notice was provided according to the applicable rule(s).

<u>Carrier Type:</u> ☐ Other (Explain below)	For Profit ILEC	Not for Profit ILEC	CLEC
Change terms & conditions of existing BLES.	☐ ATA <u>1-6-14(J)(2)</u> (Auto 30 days)	☐ ATA <u>1-6-14(J)</u> (Auto 30 days)	☐ ATA <u>1-6-14(J)</u> (Auto 30 days)
Introduce non-recurring charge, surcharge or fee to BLES	☐ ATA <u>1-6-14(J)</u> (Auto 30 days)		☐ ATA <u>1-6-14(J)</u> (Auto 30 days)
Introduce or Increase Late Payment	☐ ATA <u>1-6-14(J)</u> (Auto 30 days)	☐ ATA <u>1-6-14(J)</u> (Auto 30 days)	☐ ATA <u>1-6-14(J)</u> (Auto 30 days)
Revisions to BLES Cap	☐ ZTA <u>1-6-14(E)</u> (0 day notice)		
Introduce BLES or expand local service area (calling area)	☐ ZTA <u>1-6-14(E)</u> (0 day notice)	□ ZTA <u>1-6-14(E)</u> (0 day notice)	☐ ZTA <u>1-6-14(E)</u> (0 day notice)
Change BLES Rates	☐ TRF <u>1-6-14(E) &amp; (G)</u> (0 day notice)	☐ TRF <u>1-6-14(E)</u> (0 day notice)	☐ TRF <u>1-6-14(H)</u> (0 day notice)
To obtain BLES pricing flexibility	☐ BLS <u>1-6-14(C)(1)(c)</u> (Auto 30 days)		
Notice of no obligation to construct facilities and provide BLES	☐ ZTA <u>1-6-27(C)</u> (0 day notice)	☐ ZTA <u>1-6-27(C)</u> (0 day notice)	
Change in boundary	☐ ACB <u>1-6-32</u> (Auto 14 days)	☐ ACB <u>1-6-32</u> (Auto 14 days)	
Expand service operation area			☐ TRF <u>1-6-08(G)</u> (0 day notice)
BLES withdrawal	☐ WBL <u>4927.10</u> (120 day notice)		☐ ZTA <u>1-6-25(B)</u> (0 day notice)
Other (explain):			

# **Section I – Part I - Common Filings:**

# Section I – Part II – Customer Notification Offerings Pursuant to Chapter 4901:1-6-07 OAC

Type of Notice	Direct Mail	Bill Insert	Bill Notation	Electronic Mail
☐ 15-day Notice				
⊠ 30-day Notice				
Date Notice Sent:				

# Section I – Part III – Inmate Operator Service Pursuant to Chapter 4901:1-6-22 OAC

Introduce New	Tariff Change	Price Change	Withdraw
□TRF	□ATA	□TRF	□UNC
(0 day notice)	(Auto 30 days)	(0 day notice)	(Non-Auto)

<sup>\*</sup>Other exhibits may be required under the applicable rule, see the 4901:106-14(E) Filing Requirements on the PUCO's webpage for a complete list of exhibits.

# Section II – Part I – Carrier Certification – Pursuant to Chapter 4901:1-6-08 & 10 OAC and Competitive Eligible Telecommunications Carrier Designation (CETC) – Pursuant to Chapter 4901:1-6-09 OAC

ILEC (Out of territory)	CLEC	Telecommunications Service Provider Not Offering Local Service	CESTC	CETC
☐ ACE <u>1-6-08</u>	☐ ACE <u>1-6-08</u>	□ ACE <u>1-6-08</u>	☐ ACE 1-6-10	☐ UNC 1-6-09
(Auto 30-day)*	(Auto 30-day)*	(Auto 30-day)*	(Auto 30-day)	(Non-Auto)*

<sup>\*</sup>Supplemental forms can be found on the PUCO webpage - Telecommunications application forms.

# Section II - Part II - Change in Operation or Ownership

Change in Operation or Ownership	ILEC	CLEC	Telecommunications Service Provider Not Offering Local Service
Abandon all services		☐ ABN <u>1-6-26</u>	☐ ABN <u>1-6-26</u>
Abandon an services		(Auto 30 days)	(Auto 30 days)
Change of official name *	☐ ACN <u>1-6-29(B)</u>	☐ ACN <u>1-6-29(B)</u>	☐ <u>CIO 1-6-29(C)</u>
Change of official fiame	(Auto 30 days)	(Auto 30 days)	(0-day notice)
Change in ownership *	☐ ACO <u>1-6-29(E)(1)</u>	☐ ACO <u>1-6-29(E)(1)</u>	□ <u>CIO 1-6-29(C)</u>
	(Auto 30 days)	(Auto 30 days)	(0-day notice)
Merger *	$\Box$ AMT <u>1-6-29(E)(1)</u>	☐ AMT <u>1-6-29(E)(1)</u>	☐ <u>CIO 1-6-29(C)</u>
	(Auto 30 days)	(Auto 30 days)	(0-day notice)
Transfer certificate *	☐ ATC <u>1-6-29(B)</u>	☐ ATC <u>1-6-29(B)</u>	☐ <u>CIO 1-6-29(C)</u>
Transfer certificate	(Auto 30 days)	(Auto 30 days)	(0-day notice)
Transaction for transfer or lease of property, plant or	☐ ATR <u>1-6-29(B)</u>	☐ ATC <u>1-6-29(B)</u>	⊠ <u>CIO 1-6-29(C)</u>
business *	(Auto 30 days)	(Auto 30 days)	(0-day notice)
FCC Authorized Change in	☐ CIO <u>1-6-29 (E)(2)</u>	☐ CIO <u>1-6-29 (E)(2)</u>	☐ CIO <u>1-6-29 (E)(2)</u>
Ownership or Merger	(0-day notice)	(0-day notice)	(0-day notice)

<sup>\*</sup>Other exhibits may be required under the applicable rule(s). ACN, ACO, AMT, ATC, ATR, and CIO applications see the 4901:1-6-29 Filing Requirements on the PUCO webpage for a complete list of exhibits.

# Section III – Part I - Carrier to Carrier (Pursuant to 4901:1-7) & Attachments to Utility Equipment or Rights of Way (Pursuant to 4901:1-3)

Carrier to Carrier	ILEC	CLEC
Interconnection agreement or amendment to	□ NAG <u>1-7-07</u>	□ NAG <u>1-7-07</u>
an approved agreement	(Auto 90 days)	(Auto 90 days)
Paguast for arbitration	□ ARB <u>1-7-09</u>	□ ARB <u>1-7-09</u>
Request for arbitration	(Non-Auto)	(Non-Auto)
Introduce or change carrier to carrier tariffs	☐ ATA <u>1-7-14</u>	□ ATA <u>1-7-14</u>
	(Auto 30 days)	(Auto 30 days)
Request rural carrier exemption, rural carrier	☐ UNC <u>1-7-04 or 05</u>	
suspension or modification	(Auto 30 days)	
Changes in rates, terms & conditions to pole	☐ ATA <u>1-3-04</u>	
attachments, conduit occupancy and rights of	(Auto 60 days)	

T	
way. (13-579-AU-ORD 11/30/16 Entry)	
Section III – Part II – Facilities-based Wireless Sei	rvice Providers (Pursuant to 4901:1-6-24)
Registration and Change in Operations*	□ RCC <u>1-6-24(B)</u>
	(0 day notice)
Interconnection Agreement or amendment to an approved	□ NAG <u>1-7-07</u>
Agreement.	(0 day notice)
Change in Operations filing must be filed in the original F	RCC case designation code established during the registration
process.	
Section IV. – Attestation	
Registrant hereby attests to it compliance with the per	tinent entries and orders issued by the Commission.
	<u>IDAVIT</u>
Compliance wit	h Commission Rules
am an officer/agent of the applicant corporation, Peerless No	etwork, Inc., and am authorized to make this statement on its
Please check All that apply:	
not imply Commission approval and that the Commission's recontradictory provisions in our tariff. We will fully comply w	or the State of Ohio. I understand that tariff notification filings d rules, as modified and clarified from time to time, supersede any with the rules of the State of Ohio and understand that suspension of our certificate to operate within the State of Ohio.
$\boxtimes$ I attest that customer notices accompanying this filing form accordance with Ohio Adm. Code 4901:1-6-7.	n were sent to affected customers, as specified in Section II, in
declare under penalty of perjury that the foregoing is true as	nd correct.
Executed on November 10, 2021 at Chicago, IL.	
/s/ Julie Oost	November 10, 2021
Vice President, Regulatory Affairs	Date

<sup>\*</sup>This affidavit is required for every tariff-affecting filing. It may be signed by counsel, an officer of the applicant or an authorized agent of the applicant.

# **VERIFICATION**

I, Julie Oost, verify I have utilized the Telecommunications Filing Form for the most proceedings provided by the Commission
and that all of the information submitted here and all additional information in connection with this case, is true and correct to
the best of my knowledge.
/s/ Julie Oost
November 10, 2021
Vice President, Regulatory Affairs
*Verification is required for every filing. It may be signed by counsel or an officer of the applicant, or an authorized agent of the applicant.

File document electronically as directed in case number 06-900-AU-WVR

Send your completed Filing Form, including all required attachments as well as the required number of copies to:

Public Utilities Commission of Ohio Attention: Docketing Division 180 East Broad Street, Columbus, OH 43215-3793



DLA Piper LLP (US)

500 Eighth Street, NW Washington, DC 20004 www.dlapiper.com

Nancy J. Victory Nancy.Victory@dlapiper.com T 202.799.4216 F 202.799.5616

November 10, 2021

# VIA FIRST CLASS MAIL

Ms. Barcy McNeal Secretary of the Commission Administration Division Public Utilities Commission of Ohio 180 E. Broad St. Columbus, OH 43215

Re: Notification of Transfer of Subscribers from Call One, Inc. to Peerless Network, Inc. Pursuant to Ohio Adm. Code 4901:1-6-29

Dear Ms. McNeal:

Pursuant to Ohio Adm. Code 4901:1-6-29, Peerless Network, Inc. ("Peerless"), by its counsel, respectfully notifies the Public Utilities Commission of Ohio ("Commission") that Peerless has acquired the customer base of United Communications Systems, Inc., doing business as Call One, Inc. ("Call One"). By this letter and the attached notice, Peerless is providing the Commission with written notice of the transaction and in compliance with Ohio Admn. Code 4901:1-6-18 (and the Federal Communications Commission rules set forth in 47 C.F.R. § 64.1120)¹ has previously provided advance notice to all affected customers of their transfer from Call One to Peerless. Peerless' direct subsidiary, Peerless Network of Ohio, LLC, holds a certificate of public convenience and necessity to provide competitive local exchange service and interexchange service in Ohio.² Call One, Inc. holds a certificate of public convenience and necessity to provide competitive local exchange service in Ohio.³

Peerless provides the following information:

<sup>1</sup> Peerless' 214 Application seeking approval for transfer of Call One's customers was deemed granted by the FCC on Friday, October 8, 2021. We have included the Public Notice announcing the acceptance of the 214 Application for filing and setting forth the grant date as an attachment.

<sup>&</sup>lt;sup>2</sup> See Order, Case No. 90-9358-TP-TRF, Certificate No. 90-9358 (Aug. 22, 2008).

<sup>&</sup>lt;sup>3</sup> See Order, Case No. 06-0602-TP-ACE, Certificate No. 90-9328 (June 1, 2006).



Ms. Barcy McNeal November 10, 2021 Page Two

- **Parties to the Transaction.** The parties involved in the transaction are Call One, Inc. (Assignor) and Peerless Network, Inc. (Assignee).
- Types of Telecommunications Services Provided to the Affected Subscribers. Call One provides to business customers facilities-based interexchange telecommunications services, hosted Voice over Internet Protocol services, SIP trunking for unified communications, and unified communications, call center, SD-WAN and other, related internet-based services. Call One does not provide service to residential customers.
- Overview of the Transaction. The proposed transaction will have no adverse effect on customers or competition. The proposed transaction serves the public interest as it would enable Peerless, an experienced provider of telecommunications services, to expand and diversify its services, achieve improved economies of scale, and strengthen its ability to compete. The proposed transaction will be seamless to Call One's customers. These customers will continue to have access to their existing services at the same rates, terms, and conditions and without any immediate changes.
- **Date of Transfer of the Subscribers to Acquiring Carrier.** Call One transferred the affected subscribers to Peerless on November 9, 2021.

Attached to this letter is a copy of the notice sent to the affected subscribers, as required by Federal Communications Commission regulations, as well as an affidavit verifying the notice was provided to affected customers. Notices were transmitted to the affected customers on September 9.

Please contact the undersigned if you have any questions concerning this notification.

Respectfully submitted,

/s/ Nancy J. Victory

Nancy J. Victory

Counsel to Peerless Network, Inc.

Attachments



# **PUBLIC NOTICE**

FEDERAL COMMUNICATIONS COMMISSION 45 L STREET NE WASHINGTON D.C. 20554

News media information 202-418-0500 Internet: http://www.fcc.gov (or ftp.fcc.gov) TTY (202) 418-2555

Report No. TEL-02129S

Friday September 24, 2021

# **Streamlined International Applications Accepted For Filing**

Section 214 Applications (47 C.F.R. §§ 63.18, 63.24); Section 310(b) Petitions (47 C.F.R. § 1.5000)

Unless otherwise specified, the following procedures apply to the applications listed below:

The international Section 214 applications listed below have been found, upon initial review, to be acceptable for filing and subject to the streamlined processing procedures set forth in Section 63.12 of the Commission's rules, 47 C.F.R. § 63.12. These applications are for authority under Section 214 of the Communications Act, 47 U.S.C. § 214(a), to transfer control of an authorized carrier or to assign a carrier's existing authorization; and/or (b) to become a facilities-based international common carrier; and/or (c) to become a resale-based international common carrier.

Pursuant to Section 63.12 of the rules, these Section 214 applications will be granted 14 days after the date of this public notice (see 47 C.F.R. § 1.4 regarding computation of time), and the applicant may commence operations on the 15th day, unless the Commission has informed the applicant in writing, within 14 days after the date of this public notice, that the application, on further examination, has been deemed ineligible for streamlined processing. Pursuant to Section 1.1910(b)(2) of the rules, action will be withheld on any application by any entity found to be delinquent in its debts to the Commission. Applicants should check the Red Light Display System's website at www.fcc.gov/redlight to determine if they are delinquent in a debt to the Commission and for information on how to pay the debt.

Communications between outside parties and Commission staff concerning these applications are permitted subject to the Commission's rules for "permit-but-disclose proceedings." See 47 C.F.R. § 1.1206. An application can be removed from streamlined processing only in the sound discretion of Commission staff. The filing of comments or a petition to deny will not necessarily result in an application being deemed ineligible for streamlined processing.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 1-888-835-5322 (tty). All applications listed are subject to further consideration and review, and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

We request that comments on any of these applications refer to the application file number shown below.

ITC-ASG-20210816-00118 E Legent Comm LLC

Assignment

Current Licensee: Protel Advantage Inc

FROM: Protel Advantage Inc TO: Legent Comm LLC

Application filed for consent to the assignment of customers from Protel Advantage Inc. (Protel) to Legent Comm LLC (Legent). Pursuant to a Purchase Agreement, Legent will acquire all of Protel's customers. Legent will provide international service to the customers it will acquire pursuant to its existing international section 214 authorization, ITC-214-20011113-00568. Protel will retain its international section 214 authorization, ITC-214-19961209-00620 (Old File No. ITC-96-683), which it intends to surrender when the transaction closes. Legent, a Nevada limited liability company, is wholly owned by Scott A. White, a U.S. citizen.

ITC-ASG-20210908-00129 E Peerless Network, Inc

Assignment

Current Licensee: Call One, Inc.

FROM: Call One, Inc.

TO: Peerless Network, Inc

Application filed for consent to the assignment of international section 214 authorization ITC-214-19950601-00035 and all assets and customers from Call One, Inc. (Call One) to Peerless Network, Inc. (Peerless). Pursuant to a September 6, 2021, agreement, Peerless will acquire all of Call One's assets including its customers as well as its international section 214 authorization.

Peerless, a Delaware corporation, is wholly owned by Peerless Network Holdings, Inc. (Holdings). The following U.S. entities and individual hold a 10% or greater direct interest on Holdings: Adams Street 2007 Direct Fund, L.P. (14.249%); Adams Street 2008 Direct Fund, L.P. (16.061%); Adams Street 2009 Direct Fund, L.P. (14.072%); and John Barnicle (15.749%). Timothy R.M. Bryant, Jeffrey T. Diehl, and Quintin I. Kevin, all U.S. citizens, each hold a 33.33% membership interest in Adams Street Partners, LLC which controls Adams Street Partners, LLC, the managing member of Adams Street 2007 Direct Fund, L.P., Adams Street 2008 Direct Fund, L.P., and Adams Street 2009 Direct Fund, L.P. Applicants state that no other entity holds a 10% or greater direct or indirect interest in Peerless.

## **REMINDERS:**

Applicants must certify that neither the applicant nor any party to the application is subject to a denial of federal benefits by federal and/or state courts under authority granted in 21 U.S.C. § 862. See 47 C.F.R. §§ 1.2001-.2003.

#### IMPORTANT NOTICE REGARDING YOUR CALL ONE COMMUNICATIONS SERVICES

## September 8,2021

Dear Call One Customer:

We are pleased to announce that as part of an acquisition agreement, Call One Inc. (Call One) will be transitioning all of its Customers' communications services to Peerless Network, Inc. (Peerless) and its state-of-the-art telecommunications network. After this transition, all of Call One's telecom and other communications services will be provided by Peerless and Peerless' experienced team of professionals.

- No action is required on your part. Peerless looks forward to the opportunity to continue providing you with services of the highest quality. Your Call One support team will join Peerless and continue to service your account. On a day-to-day, it's business as usual only now we have new resources and capabilities to continue driving value for you. You will not incur any fees in connection with the transfer of service. You always have the right to choose another carrier for your long distance and other communications services, but we hope you will continue to use Peerless.
- Your services will not be affected. As a Peerless customer, you will continue to receive the same services at the same rates, terms, and conditions that you currently receive. As always, notice of any future changes in rates, terms, and conditions of service will be provided to you as required by law. You will continue to be provided the same great services from Peerless that you received from Call One.
- The effective date of the transfer will be on or shortly after October 10, 2021 At that time, unless you have made alternative arrangements, Peerless will become your provider for long distance services and other services you receive from Call One. If you prefer to choose a telephone provider other than Peerless for <u>long distance services</u>, you are free to do so and you may discontinue your services in accordance with your agreement with Call One.

Our customer service operations will continue to provide the same level of quality support for your communications service needs following the transfer to Peerless. If you have any questions or concerns with respect to service needs, complaints or billing issues, either before or after the transfer, you may call 800-440-9440.

We look forward to serving you in the future.

Very truly yours,

John Barnicle, Chief Executive Officer Peerless Network, Inc.

Helene Donahue, President & CFO Call One Inc.

<sup>&</sup>lt;sup>1</sup> All subscribers receiving this notice will be transferred to Peerless unless they have discontinued their Call One service prior to the transfer date. Federal Communications Commission rules require us to inform you that any existing carrier freeze on your service (typically arranged to prevent an unauthorized transfer to another carrier) will not prevent this transfer and that any such a freeze must be re-established following the transfer.

# AFFIDAVIT OF JULIE OOST ON BEHALF OF PEERLESS NETWORK, INC.

I, Julie Oost, being of lawful age and duly sworn, state as follows:

- 1. I am the Vice President, Regulatory Affairs of Peerless Network, Inc. ("Company").
- 2. I am authorized to make this Affidavit on behalf of the Company.
- 3. I hereby verify that the customer notice submitted herewith was provided to affected customers on September 9, 2021.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on November 10, 2021.

/s/ Julie Oost_	
Julie Oost	

# This foregoing document was electronically filed with the Public Utilities Commission of Ohio Docketing Information System on

11/10/2021 2:18:20 PM

in

Case No(s). 21-1161-TP-TRF

Summary: Application In the Matter of Notice of Transfer of Subscribers from Call One, Inc. to Peerless Network, Inc. electronically filed by Julie Oost on behalf of Peerless Network of Ohio, LLC