

DT 18-012

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November 3, 2017

**Via Federal Express and Electronic Filing**

New Hampshire Public Utilities Commission  
21 S. Fruit Street  
Suite 10  
Concord, NH 03301

NHPUC 6NDV17PM3:03

**Re: Application for Registration to Provide Voice Service**

To Whom It May Concern:

Birch Communications, Inc. ("Applicant"), by its attorneys, hereby encloses an original and six (6) copies of its Application for Registration to Provide Voice Service ("Application") and all required forms. In accordance with Rule PUC 203.03, Applicant also will be electronically filing a copy of this Application.

Please date stamp the extra copy of the Application, and return it in the enclosed envelope. If you have any questions concerning this matter, please contact the undersigned.

Respectfully submitted,



Angela F. Collins  
Counsel for Birch Communications, Inc.

Enclosures

cc: Office of the Consumer Advocate (via electronic mail)



NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION  
21 S. FRUIT ST., STE 10 CONCORD, NH 03301-2429  
603-271-2431  
www.puc.nh.gov

NHPUC Form T-8  
Application for Registration  
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Puc 409.08  
Rev. 02/14

**APPLICATION FOR REGISTRATION TO PROVIDE VOICE SERVICE**  
**Applicable to All Telephone Utilities**  
**When Proposing to Offer Voice Service in an Area Not Previously Authorized**

**1. General Information**

Legal Name Birch Communications, Inc.

Federal Identification Number 58 - 2233012

Telephone Utility Identification Number  
if one has been assigned \_\_\_\_\_

Trade Name(s) d/b/a  
in New Hampshire \_\_\_\_\_

Complete Mailing Address 320 Interstate North Parkway SE  
Atlanta, GA 30339

Phone Number 678-424 2400

E-mail Address complaints@birch.com

Website http://www.birch.com/

**2. History of Applicant**

a. Has the applicant, or have any of the general partners, corporate officers, director of the company, limited liability company managers or officers been convicted of any felony not annulled by a court?

No

b. In the past ten years, has the applicant, or have any of the general partners, corporate officers, director of the company, limited liability company managers or officers had any civil, criminal or regulatory sanctions or penalties imposed pursuant to any state or federal consumer protection law or regulation?

No

c. In the past ten years, has the applicant, or have any of the general partners, corporate officers, director of the company, limited liability company managers or officers settled any civil, criminal or regulatory investigation or complaint involving any state or federal consumer protection law or regulation?

Yes

d. Is the applicant, or are any of the general partners, corporate officers, director of the company, limited liability company managers or officers currently the subject of any pending civil, criminal or regulatory investigation or complaint involving any state or federal consumer protection law or regulation?

No

e. Has the applicant, or have any of the general partners, corporate officers, director of the company, limited liability company managers or officers been denied certification in any other state.

No

If so, please list each state.

f. If the answer to any of the questions in a through e above is yes, please attach an explanation.

Please see attachment.

If you have any questions, please call the New Hampshire Public Utilities Commission at 603-271-2431.  
Please mail any documents to the above address.



### 3. Service

List up to three services, including at least one voice service, that the applicant will provide to retail customers:

a. Local exchange service

b. Interexchange service

c.

Identify the applicant's proposed service area:

Entire state of New Hampshire

### 4. Required Attachments

a. A copy of the New Hampshire Secretary of State Certificate of Authority

b. Form T-1, Contact and Trade Name Information

### 5. Compliance Statements

I attest that the applicant will comply with all applicable New Hampshire laws and all Commission policies, rules and orders. [Signature] (initial)

I attest that the applicant has the necessary managerial qualifications, technical competence and financial resources to operate the telephone utility for which the applicant seeks registration. [Signature] (initial)

### 6. Signature

I, Geordie P. Williams Jr., (name) declare under penalty of perjury that I am authorized to make this verification for and on behalf of the applicant; that I have read the information provided by the applicant in the foregoing document and any and all attachments, and am informed and believe the same are true, and on that ground, affirm that the matters stated herein are true.

Signed

Senior Vice President and General Counsel Title

Subscribed and sworn before me this 3rd (day) of November (month) in the year 2017

County of DeKalb

State of Georgia



Subrenna M. Stewart  
Notary Public/Justice of the Peace  
My Commission expires August 10, 2021

**Explanation for Question 2(c)**

In December 2016, Birch Communications, Inc. entered into a Consent Decree with the Federal Communications Commission, which is available at:

[https://apps.fcc.gov/edocs\\_public/attachmatch/DA-16-1458A1.pdf](https://apps.fcc.gov/edocs_public/attachmatch/DA-16-1458A1.pdf)

In April 2017, Birch Communications, Inc. and Christopher M. Carr, in his official capacity as Attorney General of the State of Georgia, settled an Investigative Demand issued by the Attorney General in November 2016. Relevant documents can be found in Civil Action File No. 2016-CV-283526 in the Superior Court of Fulton County for the State of Georgia.



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### Names and Titles of Principal Officers

Name	Title
R. Kirby Godsey	Chairman of the Board and Director
Holcombe T. Green, Jr.	Director
James P. O'Brien	Executive Vice President and Chief Operating Officer
Kevin M. Dotts	Executive Vice President, Chief Financial Officer and Treasurer
Gordon P. Williams, Jr.	Senior Vice President, Secretary and General Counsel
Michelle H. Ansley	Vice President and Chief Administrative Officer, Human Resources

### Regulatory Contact

Name Sharyl Fowler

Title Manager, Regulatory Administration

Complete Mailing Address 115 Gateway Drive  
Macon, GA 31210

Phone Number 478 475 9800

E-mail Address sharyl.fowler@birch.com

### Person that Commission's Consumer Affairs Department Shall Call Regarding Customer Complaints

Name Angela Howard

Title Paralegal, Response Specialist

Complete Mailing Address 2323 Grade Avenue, Suite 925, Kansas City, MO 64108

Phone Number 816 .300. 1428

E-mail Address complaints@birch.com

### Director of Customer Service Department

Name Susan Gould

Title Sr. Manager Customer Care/Billing

Complete Mailing Address 1301 Chestnut, Emporia, Kansas 66801

Phone Number 816 -300- 1476

E-Mail Address susan.gould@birch.com



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#### Company Officer Responsible for Customer Service

Name Kevin Brand  
Title Vice President, Customer Experience  
Complete Mailing Address 320 Interstate North Parkway, SE  
Atlanta, GA 30339  
Phone Number 678.424 2400  
E-mail Address kevin.brand@birch.com

#### Person Responsible for Paying Assessment Bills

Name Sharyl Fowler  
Title Manager, Regulatory Administration  
Complete Mailing Address 115 Gateway Drive, Macon, GA 31210  
Phone Number 478-476-1165  
E-mail Address sharyl.fowler@birch.com

Check here if you would prefer to receive notices by e-mail rather than postal mail: ☐

#### Signature

I certify that the information on this form is true and correct to the best of my knowledge and belief subject to the penalty for making unsworn false statements under RSA 641:3.

Authorized Representative  
Signature

Title

Senior Vice President +  
General Counsel

Printed Name

Gordon P. Williams, Jr.

Date

11/3/17

If you have any questions, please call the New Hampshire Public Utilities Commission at 603-271-2431.  
Please mail any documents to the above address.

# State of New Hampshire

## Department of State

### CERTIFICATE OF AUTHORITY OF BIRCH COMMUNICATIONS, INC.

The Secretary of State of the State of New Hampshire hereby certifies that an Application of **BIRCH COMMUNICATIONS, INC.** for a Certificate of Authority to transact business in this State, duly signed pursuant to the provisions of the New Hampshire Business Corporation Act, has been received in this office.

ACCORDINGLY the undersigned, by virtue of the authority vested in him by law, hereby issues this Certificate of Authority to **BIRCH COMMUNICATIONS, INC.** to transact business in this State under the name of **BIRCH COMMUNICATIONS, INC.**, and attaches hereto a copy of the Application for such Certificate.

Business ID: 781827



IN TESTIMONY WHEREOF,

I hereto set my hand and cause to be affixed  
the Seal of the State of New Hampshire,  
this 1st day of November 2017 A.D.

A handwritten signature in black ink, appearing to read "William M. Gardner".

William M. Gardner  
Secretary of State



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## CONTACT & TRADE NAME INFORMATION

Applicable to All Telephone Utilities

A telephone utility must complete this form: 1) When requesting Public Utilities Commission authorization to provide voice service in New Hampshire; 2) Annually, on or before March 31 of each year, and 3) when there have been changes to the information previously reported.

Date November 2, 2017

### General Information

Legal Name Birch Communications, Inc.  
Federal Employer Identification  
Number (FEIN) 58- 2233012  
Telephone Utility Identification  
Number if one has been assigned \_\_\_\_\_  
Trade Name(s) d/b/a  
in New Hampshire \_\_\_\_\_  
Complete Mailing Address 320 Interstate North Parkway SE  
Atlanta, GA 30339  
Phone Number 678. 424-2400  
E-mail Address complaints@birch.com  
Website http://www.birch.com/

### End User Customer Service

Toll free 800 Number 866-424-5100  
E-mail Address Not applicable  
Hours of Operation 7:00am to 5:00pm Eastern, M-F and 8:00am to 5:00pm Eastern, Saturday

### End User Repair Service

Toll free 800 Number 866 424 5100  
E-mail Address Not applicable  
Hours of Operation 24 hours, 7 days a week