



STATE OF DELAWARE

PUBLIC SERVICE COMMISSION
861 SILVER LAKE BLVD.
CANNON BUILDING, SUITE 100
DOVER, DELAWARE 19904

TELEPHONE: (302) 736-7500
FAX: (302) 739-4849

MEMORANDUM

TO: The Chairman and Members of the Commission

FROM: Joshua Bowman, Public Utility Analyst

DATE: August 22, 2016

SUBJECT: IN THE MATTER OF THE APPLICATION OF CALLCATCHERS INC. D/B/A FREEDOMVOICE SYSTEMS FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE INTRASTATE LONG DISTANCE TELECOMMUNICATIONS SERVICES IN THE STATE OF DELAWARE.

(SUBMITTED JUNE 26, 2016; FILED AUGUST 11, 2016) – PSC DOCKET NO. 16-0745

Background

On August 11, 2016, CallCatchers Inc. d/b/a FreedomVoice Systems (“FreedomVoice” or the “Company”) filed an application (the “Application”) with the Delaware Public Service Commission (“Commission”) for a Certificate of Public Convenience and Necessity (CPCN) to provide intrastate long distance telecommunications services to the public with the State of Delaware. The Delaware Public Service Commission Staff (“Staff”) has reviewed the Application to determine its compliance with Delaware Law and the Rules and Regulations promulgated in *26 Del. Admin. C. §4001*.

Application

The Company’s original filing was submitted on June 26, 2016, but the submitted Application did not meet the minimum filing requirements (“MFR’s”). Staff requested the Company file the following additional documentation: a) proof of publication of the public notice in at least one (1) newspaper of general circulation, b) a copy of the Delaware business license, c) a copy of the certificate of good standing issued by the Delaware Secretary of State, d) the name, address, and telephone number of a Delaware Registered Agent, d) a copy of FreedomVoice’s certified financial statements current within twelve (12) months, and e) a signed, sworn verification for any subsequent filings in support of the Application.

Financial, Operational, Managerial and Technical Ability

To demonstrate its financial capability, FreedomVoice provided to Staff verified consolidated financial statements, reflecting its financial status as of May, 2016.

The Company anticipates serving customers throughout the entire State of Delaware as permitted by law and Commission Order. The Company proposes to provide intrastate long distance telecommunications services throughout the entire State of Delaware. Specifically, the Company utilizes a proprietary interactive voice response ("IVR") and unified messaging platform. The Company purchases toll free and direct inward dialing ("DID") numbers, and resells those numbers as part of a virtual office service. Small business customers then use those numbers to access the Company's integrated suite of additional services and functionality, including: auto attendant, call forwarding/distribution, call queuing, call screening, Internet fax/fax back, and enhanced voicemail capabilities such as voice-to-text conversion and email delivery of voicemails. The Company will also provide Interconnected Voice over Internet Protocol ("I-VoIP") services. Additionally the Company also currently provides interexchange long distance services in the states of California, Connecticut, Florida, Illinois, Maine, Maryland, Michigan, New Jersey, New York, Pennsylvania, Rhode Island, Tennessee, Utah, Virginia, Washington, and Wisconsin. Furthermore, the Company is currently registered to provide I-VoIP services in the states of California, Illinois, Michigan, Nebraska, and Wisconsin. , and is in the process of applying for authorization or registering to provide interexchange and I-VoIP services in the remaining fifty states, the District of Columbia, and Puerto Rico. To demonstrate its technical and operational capabilities, the Company provided Staff with detailed management biographies of its principal officers.

Pursuant to 26 *Del. Admin. C.* §4001-4.3, a copy of the Application was provided to the Division of the Public Advocate and public notice of the Application was published in the Delaware State News on July 18, 2016. Staff reports that it received no formal comments or objections to the Company's Application for a CPCN.

Tariff

The Company provided proposed initial tariff sheets outlining the rates, terms, and conditions applicable to Resold Telecommunications Services provided by FreedomVoice.

Waiver

As part of its Application, the Company requested a waiver of the provisions of 26 *Del. C.* §208(b) so that it may maintain its books and records relating to its Delaware operations outside of the State of Delaware. Staff believes that the waiver request to maintain the Company's books and records outside of Delaware is reasonable and recommends that the Commission grant the waiver.

Staff Recommendation

Based on Staff's review and analysis, the Company has shown that it has the financial, operational, and technical means to provide intrastate long distance telecommunications services in Delaware. Therefore, Staff recommends that the Commission grant FreedomVoice a CPCN to provide intrastate long distance telecommunications services within the State of Delaware.