

February 26, 2016

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PUBLIC SERVICE COMMISSION

Via Electronic & Overnight Delivery

Mr. Brent Kirtley, Tariff Branch Manager Kentucky Public Service Commission 211 Sower Boulevard Frankfort, KY 40602-0615

# RE: VoIPStreet Inc. d/b/a VoIP Innovations Docket 2016-00059 In the Matter of an Inquiry Into State Universal Service Fund

Dear Mr. Kirtley:

Please accept the enclosed Motion to Withdraw submitted on behalf of VoIPStreet, Inc. in Docket 2016-00059.

Please acknowledge receipt of this filing by date-stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided for that purpose.

Any questions you may have regarding this filing should be directed to my attention at 412-580-8936 or via email to brianb@abgcapital.com. Thank you for your assistance in this matter.

Sincerely,

Brian Barnabei Counsel

Eight Penn Center West – Suite 101 – Pittsburgh, PA 15276 www.voipinnovations.com 412-440-2000

### COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of An Inquiry Into the State Universal Service Fund

) Docket No. 2016- 00059

## VOIPSTREET INC. MOTION TO WITHDRAW

In its Order issued on February 1, 2016 initiating this case, the Commission made every local exchange carrier, commercial mobile radio service provider, and eligible telecommunications carrier ("ETC") a party to this proceeding. The Commission also gave any party that is not an ETC in Kentucky receiving both federal and state universal service fund ("USF") support the opportunity to file a written request setting forth the reasons why withdrawal as a party is appropriate. VoIPStreet, Inc. (the "Company") moves to withdraw from this proceeding and states its reasons for doing so below.

## **ETC Status**

VoIPStreet, Inc. is not an ETC receiving either federal or state USF support. Accordingly, it meets the Commission's threshold for being permitted to withdraw from this proceeding.

#### Reasons Why Withdrawal as a Party is Appropriate

As previously noted, VoIPStreet, Inc. does not receive state or Federal support. It therefore has no direct interest in the level of state support provided to ETCs that do receive subsidies. Moreover, VoIPStreet, Inc. is primarily a wholesale VoIP reseller, and in the rare cases it has retail customers, it passes the state taxes and surcharges on to its customers via their bills. After reviewing the Order and considering the likely economic impact of this proceeding on VoIPStreet's operations, VoIPStreet has determined that it is not in its interest to participate at this time. VoIPStreet, Inc. therefore moves to withdraw.

## Conclusion

For the reasons stated above, VoIPStreet Inc. respectfully requests that it be permitted to withdraw from further participation in this proceeding.

Respectfully Submitted

Brian Barnabei Counsel VoIPStreet Inc. Eight Penn Center West Suite 101 Pittsburgh, PA 15276

Dated: February 26, 2016

### CERTIFICATE OF SERVICE AND ACKNOWLEDGMENT OF ELECTRONIC FILING PROCEDURES

In accordance with 807 KAR 5:001, Section 8, I certify that the February 26, 2016 electronic filing of this Motion is a true and accurate copy of the same document being filed in paper medium; that the electronic filing was transmitted to the Commission on February 26, 2016; that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding; and that an original paper medium of this Motion will be mailed to the Commission by first class United States mail, postage prepaid, on February 26, 2016.

Brian Barnabei