## **KELLEY DRYE & WARREN LLP**

A LIMITED LIABILITY PARTNERSHIP

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June 10, 2019

Ms. Carlotta S. Stauffer Commission Clerk Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399

Re: Fusion, LLC d/b/a Fusion Connect, LLC, Fusion Cloud Services, LLC and

Cbeyond Communications, LLC

Notice of Filing of Chapter 11 Bankruptcy (Reorganization)

Dear Ms. Stauffer:

Fusion, LLC d/b/a Fusion Connect, LLC ("FCL"), Fusion Cloud Services, LLC ("FCS") and Cbeyond Communications, LLC ("Cbeyond")¹ (together, the "Fusion Fla. Companies") respectfully submit this letter to notify the Florida Public Service Commission (the "Commission") that on June 3, 2019, their parent company, Fusion Connect, Inc. and all of its U.S. subsidiaries, including the Fusion Fla. Companies (collectively, "Fusion"), filed for protection under Chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Southern District of New York (the "Petition").²

Fusion filed for Chapter 11 protection in order to restructure its capital structure. Following completion of the proposed restructuring, Fusion expects to emerge financially stronger. Importantly, the filing of the Petition does not reflect, or result in, any immediate changes to Fusion's current operations. The Fusion Fla. Companies continue to serve their customers on an uninterrupted basis and the Chapter 11 filing does not in any way alter

The Fusion Fla. Companies are authorized to provide telecommunications services in Florida. FCL, formerly known as Network Billing Systems, LLC: Docket Nos. 110055-TX (CLEC); 980960 (IXC – now deregulated). FCS, formerly known as Birch Communications, LLC: Docket Nos. 990666-TX (CLEC); 990665-TI (IXC – now deregulated). Cbeyond: Docket Nos. 20000804-TX (Alternate LEC); 20000803-TI (IXC –now deregulated).

<sup>&</sup>lt;sup>2</sup> In re Fusion Connect, Inc., et al., Debtors, Case No. 19-11811 (Bankr. S.D.N.Y. Jun. 3, 2019). As a consequence of this filing, the legal status of Fusion is now changed to debtors-in-possession. A complete copy of the Petition and related information is available at https://CTses.primeclerk.com/Fusion.

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Ms. Carlotta S. Stauffer June 10, 2019 Page Two

the rates, terms and conditions under which they provide those services to their customers. Thus, the bankruptcy filing itself will be transparent to the customers of the Fusion Fla. Companies, as they will not experience any difference in how their service is provided or in the caliber of customer service available to them.

The Fusion Fla. Companies submit this initial notice for the Commission's information and will follow up with any required filings, including those necessary for the implementation of the reorganization. In the interim, as noted, all Fusion operations continue uninterrupted and contact information for each of the Fusion Fla. Companies remains unchanged.

Please direct any questions, communications or other correspondence regarding this notice and the Fusion Petition to:

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with a copy to:

James P. Prenetta, Jr. Executive Vice President and General Counsel Fusion Connect, Inc. 420 Lexington Avenue, Suite 1718 New York, New York 10170

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