



**COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE**

**MEMORANDUM OF DISMISSAL**

TO: Cbeyond Communications, LLC  
FROM: William Bendetson, Hearing Officer  
RE: D.T.C. 19-AR-13


Investigation by the Department of Telecommunications and Cable on its own motion, pursuant to G.L. c. 159 §§ 12, 32 and 39, and G.L. c. 166 §§ 11 and 12, regarding the failure by individually-named common carriers of telecommunications services to file annual returns for calendar years 2016 and/or 2017.

DATE: March 10, 2020

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On December 20, 2019, the Department of Telecommunications and Cable (“Department”) issued a Notice of Investigation and Hearing (“Notice”) and Order Opening Investigation (“Order”) in docket D.T.C. 19-AR, regarding the failure of 67 telecommunications carriers to file annual returns for calendar years 2016 and/or 2017. The Notice and Order directed the named companies to respond by January 29, 2020 with information, in part, on whether the company: (1) could produce the relevant annual returns; (2) could provide an explanation regarding the reasonableness of the failure to file; and (3) provided telecommunications services within the Commonwealth during the applicable calendar year(s).

On January 16, 2020, the Department received a response from Cbeyond Communications, LLC (“Cbeyond”) with its annual return for 2017 and subsequently received Cbeyond’s filing fee on March 5, 2020. The Department determines that Cbeyond has fulfilled its annual return filing requirement for 2017, and dismisses the case for docket D.T.C. 19-AR-13.

  
William Bendetson  
Hearing Officer