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February 27, 2001

Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
Betty Easley Conference Center
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

**Re: PNG Telecommunications, Inc.
Petition for Waiver**

Dear Ms. Bayo:

Please find enclosed for filing on behalf of PNG Telecommunications, Inc. ("PNG") an original and 8 copies of PNG's Petition for Limited Waiver of 25-4.118 F.A.C. Please return one file-stamped copy of the Petition in the self-addressed, postage-prepaid envelope enclosed. Your attention to this matter is appreciated.

POWERNET GLOBAL COMMUNICATIONS

A handwritten signature in black ink, appearing to read "Dennis C. Packer", is written over a horizontal line.

Dennis C. Packer, General Counsel

DOCUMENT NUMBER-DATE

02921 MAR-68

RECORDS-REPORTING

special circumstances warranting a deviation or waiver from the Commission's rules and order include the need to provide seamless transitions of long distance service for the affected LDC customers.

In accordance with the Commission's prior Orders in this docket, PNG proposes to send the attached notice letters to the affected LDC customers. The letter attached as Exhibit A is intended to notify the affected customers of the transfer prior to customer migration (the "Notice Letter"). This letter will be amended as required by the Commission and sent to the affected customers only after PNG's petition has been granted. The Notice Letter will inform the affected customers (1) that their long distance service will be switched to PNG; (2) that customers will be assessed no charge in connection with the transfer from to PNG; (3) that PNG will offer rates comparable to or lower than the rates offered by LDC; and (4) that customers are free to change carriers if they are not satisfied with the service provided by PNG. The letter will also provide the affected customers with a toll-free number to call with any questions concerning the transaction.

After the customers have been transferred to PNG's network, PNG will send the letter attached as Exhibit B (the "Post-Migration Letter"). The Post-Migration Letter will notify the customers that the transfer has been completed, reiterate the information contained in the Notice Letter, and remind the customers that they are free to choose another long distance carrier if they are not pleased with the service they receive from PNG.

LDC and PNG will cooperate together to ensure that the transition of the affected customer's to PNG is seamless and to resolve any outstanding customer complaints regarding long distance or international service filed by the affected customers.

II. Argument

Pursuant to the Commission's rules, prior to submitting a preferred carrier change, carriers must verify the subscriber's authorization of the change by one of the methods set forth in 25-4.118 F.A.C. Section 25-24.455(4) F.A.C. provides that:

[a]n interexchange company may petition for waiver of any provision of this Part. The Commission may grant a waiver to the extent that it determines that it is consistent with the public interest to do so. The Commission may grant the petition in whole or in part, may limit the waiver to certain geographic areas and/or may impose reasonable alternative regulatory requirements on the petitioning company.

In disposing of a petition, the Commission may consider whether the petition is in the public interest, whether market forces obviate the need for the provision in a particular instance and whether reasonable alternative regulatory methods may serve the same purpose.

25-24.455(4)(a)-(c) F.A.C.

PNG believes that its petition is in the public interest and that alternative regulatory methods will serve the same purpose in this instance as the Commission's primary interexchange carrier change verification rules. PNG requests that the Commission accept the notice and welcome letters attached as Exhibits A and B in lieu of verification procedures of 25-4.118 F.A.C. The affected customers will be notified that their interexchange service will be continued with PNG at the same or lower rates without action required of them; that they may receive a credit for any charge imposed by their local exchange carrier for changing their primary interexchange carrier; and that they are under no obligation to take service from PNG and may select another primary interexchange carrier. Customers will also be given PNG's toll-free customer service numbers to call with any questions they may have about the transaction. PNG believes that the notice and welcome letters adequately serve the purpose of assuring that

customers who remain with PNG genuinely want PNG as their interexchange and intraLATA toll carrier.

On the other hand, the Commission's verification rules would not be served by obtaining prior authorization and verification in order to switch the affected customers of LDC to PNG. Customers who may not understand the need to authorize the change in their intraLATA toll and interexchange service provider and who, therefore, fail to respond to a request for authorization, could lose their service or pay potentially higher rates.

Expedited action on this waiver is requested. The purchase agreement provides that time is of the essence in the transfer of the customer base to accommodate LDC's business plans. Waiver of the Commission's verification rules in this instance allows PNG to provide a seamless transition to former LDC customers, while ensuring that the affected customers clearly understand available choices. Therefore, the Commission should grant PNG's request for expedited waiver of the Commission's verification rules set forth in 25-4.118 F.A.C.

Respectfully submitted,

POWERNET GLOBAL COMMUNICATIONS



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EXHIBIT A - PRE-TRANSFER NOTICE
LETTER

<<Date>>

Dear LDC Customer,

PowerNet Global Communications, a national provider of long-distance, data and Internet services has entered into an agreement with LDC Consultants, Inc. whereby PowerNet Global will purchase the assets of LDC. As part of this transaction, LDC and PowerNet Global have agreed to transfer LDC customer accounts from LDC to PowerNet Global. PNG continue to offer you the same excellent service offered by LDC coupled with the low rates offered by PowerNet Global.

PowerNet Global offers customers simple, flat-rate pricing any time of the day or night. So PowerNet Global will be offering you rates comparable to – if not lower – than the rates you are currently getting with LDC.

LDC and PowerNet Global will work together to ensure that your transition to PowerNet Global will be seamless with no interruption of service. Nor will you be required to pay any switchover fees associated with the transfer. If you have any questions or concerns about this change in long distance service, we encourage you to call PowerNet Global's customer service at 1-800-860-9495. Our customer service representatives will be happy to discuss the transition with you and to answer any questions you may have.

We are confident you will be pleased with the superior service you receive from PowerNet Global. We also recognize, however, that you are free to select another carrier if you are not satisfied with the service you receive. We want you to know that we value our relationship with you and pledge to provide you with value-added communications solutions and unrivaled customer support as we move forward.

Sincerely,

Bernie Stevens
President & CEO
PowerNet Global Communications

EXHIBIT B - POST MIGRATION NOTICE LETTER



P.O. Box 1858
West Chester, Ohio 45069

IMPORTANT NOTICE

As announced in previous correspondence, PowerNet Global has purchased the assets of LDC and, as part of this transaction, LDC and PowerNet Global agreed to transfer LDC customer accounts from LDC to PowerNet Global.. This transaction will allow us to offer you a wide variety of products at comparable or lower rates while maintaining the same quality of customer service you have received from LDC in the past. No charges or fees will be imposed and no rate increase will occur as a result of this transaction and the transfer of your account to PowerNet Global.

We are confident you will be pleased with the superior service you receive from PowerNet Global. We value our relationship and pledge our commitment to providing you with quality services and personalized customer care. However, if you are not satisfied with the service you receive from PowerNet Global, please understand that you are free to choose another long distance service provider.

Please contact us at 1-800-860-9495 if you have any questions or concerns about your service.

PowerNet Global Communications, Inc.