

State of Florida



ORIGINAL

Public Service Commission

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COMMISSION  
CLERK

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**DATE:** October 20, 2005  
**TO:** Blanca S. Bayó, Commission Clerk and Administrative Services Director  
**FROM:** Toni J. McCoy, Regulatory Analyst II, Division of Competitive Markets & Enforcement  
**RE:** Docket No. 050647-TI and 050648-TX; Comtel Telcom Assets LP

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Please add the attached information to the docket file.

Please call if you have any questions. I can be reached at 413-6532.

Thank you.

- CMP \_\_\_\_\_
- COM \_\_\_\_\_
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- OTH \_\_\_\_\_

DOCUMENT NUMBER-DATE

10256 OCT 21 05

FPSC-COMMISSION CLERK

## Toni McCoy

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**From:** Becky Gipson [BGIPSON@vartec.net]  
**Sent:** Monday, October 17, 2005 1:17 PM  
**To:** Toni McCoy  
**Subject:** Confidential Filing Request (Docket Nos. 050647-TX and 050648-TI )

Ms. McCoy,

Pursuant to our conversation earlier today, please accept this e-mail as the Applicants' request to withdraw the Motion for Protective Order and Protection of Proprietary Information previously filed with the Commission.  
In lieu of this Motion, the Applicants ask that the Commission adhere to the instructions in the Applicants' transmittal letter to the Commission dated September 23, 2005, which requests confidential treatment of the financial information contained in the sealed envelope and which accompanied the filing. It is the Applicants' understanding that the Commission will continue to hold the information in confidence based on this request.

Please contact me if you have any additional questions or requests for the Applicants. I sincerely appreciate your time and attention to this matter.

Becky Gipson  
Director, Regulatory Affairs  
VarTec Telecom, Inc.  
2440 Marsh Lane  
Carrollton, TX 75006  
(972) 478-3309  
(972) 478-3310 fax  
bgipson@vartec.net



# VarTec Telecom, Inc.

September 23, 2005

VIA OVERNIGHT DELIVERY

Florida Public Service Commission  
Division of the Commission Clerk and Administrative Services  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

050647-TX

Re: Applications for Authority to Provide Telecommunications Services and for Consent to Transfer Assets

Dear Sir or Madam:

Transmitted herewith on behalf of Comtel Telcom Assets LP ("Comtel") and VarTec Telecom, Inc., Excel Telecommunications, Inc. and VarTec Solutions, Inc. (together, the "VarTec Companies") (collectively with Comtel, the "Applicants") are an original and six (6) copies of Applications for Authority to Provide Telecommunications Services and for Consent to Transfer Assets. Through these Applications, Comtel seeks the authority to assume substantially all of the assets of the VarTec Companies and also to obtain the necessary certification to provide local exchange, interexchange and wireless telecommunications services within Florida. Enclosed with this filing is a check (no. 5504494) in the amount of \$250.00 for the required filing fee and a sealed envelope containing information which the Applicants respectfully request be treated as confidential and proprietary information of Comtel.

Acknowledgment and date of receipt of this filing are respectfully requested. Please date and file stamp the attached copy of this correspondence and return it in the enclosed pre-addressed, postage-prepaid envelope. Please direct all correspondence regarding this filing to the undersigned directly at (972) 478-3309, the below-referenced address or [bgipson@vartec.net](mailto:bgipson@vartec.net). If the Commission has immediate questions or requires additional information, the undersigned is available to promptly supplement these Applications. The Applicants sincerely appreciate your time and consideration in reviewing this matter.

Respectfully submitted,

  
Becky Gipson  
Director, Regulatory Affairs

Enclosures

DOCUMENT NUMBER-DATE

09107 SEP 26 2005

2440 Marsh Lane  
Carrollton, Texas 75006

FPSC-COMMISSION CLERK

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF FLORIDA

In the matter of the Application of )  
)  
COMTEL TELCOM ASSETS LP )  
)  
and )  
)  
VARTEC TELECOM, INC. ) Docket No. \_\_\_\_\_  
(EXCEL TELECOMMUNICATIONS, )  
INC. AND )  
VARTEC SOLUTIONS, INC. )  
)  
for Authority to Provide Alternative Local )  
Exchange Service and Approval to Transfer )  
Existing Certificate )

**MOTION FOR PROTECTIVE ORDER AND**  
**PROTECTION OF PROPRIETARY INFORMATION**

Concurrently with the filing of this Motion, Comtel Telcom Assets LP (“Comtel”) and VarTec Telecom, Inc., Excel Telecommunications, Inc. and VarTec Solutions, Inc. have submitted an Application for Authority (for Comtel) to Provide Alternative Local Exchange Service and Approval to Transfer Existing Certificate pursuant to the rules and regulations of the Florida Public Service Commission (“Commission”). By this Motion, Comtel respectfully requests that the Commission accept Exhibit D of the Application, which contains the financial statements submitted by Comtel, under seal.

Exhibit D of the Application has been submitted to confirm that Comtel has the requisite financial ability to acquire the VarTec Companies’ assets and to provide and maintain the services that Comtel intends to provide in Florida. As a privately-held company, Comtel

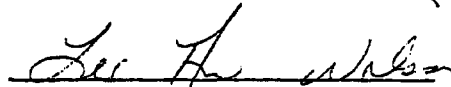
respectfully requests that the Commission protect Exhibit D of the Application from public inspection because public disclosure of its contents would place Comtel at an unfair business disadvantage. Comtel also requests that the Commission withhold from public inspection Exhibit D to the Application due to its proprietary nature. The information contained in the financial statements is only disclosed to banks, financial institutions and others on a need to know basis, and when such information is disclosed to them, it is done on a confidential basis. Making this information available would reveal information to the public and Comtel's competitors which would allow them to know Comtel's cash position, liabilities and other data which Comtel does not wish to disclose without a protective order.

Wherefore, Comtel respectfully requests that its Motion for Protective Order and Protection of Proprietary Information be granted.

Respectfully submitted,

**COMTEL TELCOM ASSETS LP**

By:



Lee Ann Wilson

Assistant Secretary

c/o Sowood Capital Management LP

500 Boylston Street, 17<sup>th</sup> Floor

Boston, Massachusetts 02116

Telephone: (617) 603-3504

Facsimile: (617) 603-3330

e-mail: [leeann.wilson@sowood.com](mailto:leeann.wilson@sowood.com)

9-23-05

Date