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February 2, 2006

Glenn S. Richards  
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Clerk's Office  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

**Re: Transfer of Customer Accounts from Future Telecom, Inc. to A.R.C.  
Networks, Inc. d/b/a InfoHighway Communications**

Dear Sir or Madam:

On behalf of our client, A.R.C. Networks, Inc. d/b/a InfoHighway Communications ("InfoHighway"), an indirect subsidiary of Eureka Broadband Corporation, and Future Telecom, Inc. ("Future") (collectively, the "Parties") we hereby notify the Commission of the planned transfer of certain assets of Future, including customer accounts and accounts receivables, to InfoHighway. It is our understanding, based on a review of the Commission's rules and conversations with Commission staff, that the Parties are not required to submit an application for prior approval of the planned transaction.

Upon closing and following the receipt of all required regulatory approvals, Future's customers will become customers of InfoHighway. InfoHighway will provide these customers with equivalent services, at rates that are equal to or less than the rates paid to Future. Other than receiving a bill from InfoHighway, the proposed transaction will not cause disruption to the services received by Future's customers.

Although the planned transaction will not change the rates or services provided to Future's customers, customers will benefit from the extraordinary customer service, billing options, competitive pricing and wide range of service offerings available from InfoHighway. InfoHighway will benefit from the expanded customer base and revenue stream, allowing the company to expand its offerings and operations in Florida. The Parties provide the following additional information concerning the planned transaction:

#### **I. DESCRIPTION OF THE PARTIES**

A.R.C. Networks, Inc. d/b/a InfoHighway Communications is a New York corporation with headquarters located at 175 Pinelawn Road, Suite 408, Melville, New York 11747. Among other services, InfoHighway offers high-quality local and long distance telephone services,

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point-to-point data services, high-speed Internet services, network design and wiring. In Florida, InfoHighway is authorized to provide local exchange and interexchange services pursuant to Certificates issued in Dockets 960610-TX (Dec. 16, 1996) and 961987-TX (Nov. 19, 1996). Further information regarding InfoHighway has been previously submitted to the Commission, is therefore a matter of public record, and is incorporated herein by reference.

Future Telecom, Inc. is a Delaware corporation with headquarters located at 17 State Street, Suite 800, New York, New York 10004. In Florida, Future is authorized to provide interexchange service pursuant to Docket No. 001163-TI (Dec. 8, 2000). Further information regarding Future has been previously submitted to the Commission, is therefore a matter of public record, and is incorporated herein by reference.

## II. CONTACTS

Questions or any correspondence, orders, or other materials should be directed to:

Glenn S. Richards  
Jarrett S. Taubman  
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with copies to:

Legal Department  
Eureka Broadband Corporation  
39 Broadway  
19th Floor  
New York, NY 10006  
212-404-5000 (phone)  
212-404-5199 (fax)

and:

Jennifer D. Janelle  
Shipman & Goodwin LLP  
One Constitution Plaza  
Hartford, Connecticut 06103  
860-251-5912 (Tel)  
860-251-5211 (Fax)  
jjanelle@goodwin.com

### III. DESCRIPTION OF TRANSACTION

InfoHighway and Future have entered into an Asset Purchase Agreement ("Agreement"), dated as of January 12, 2006. Under the terms of the Agreement, InfoHighway will acquire for cash certain assets of Future, including customer accounts and accounts receivable. Upon closing, and following the receipt of all required regulatory approvals, InfoHighway will provide services to Future's customers. In connection with the proposed transaction, Future will separately apply for authority to cancel its authorization in Florida.

InfoHighway will provide services to Future's customers under the same rates, terms and conditions as those services are currently provided. The proposed transaction will not cause any service interruptions or discontinuances. As such, the Parties expect that the proposed transactions will be entirely transparent to Future's customers.

In compliance with FCC rules, Future customers have been notified of the proposed transaction. A copy of that notice is attached. As stated therein, customers will have ample opportunity to choose another carrier if they do not wish to receive services from InfoHighway.

### IV. PUBLIC INTEREST CONSIDERATIONS

InfoHighway's acquisition of the assets of Future serves the public interest in promoting competition among telecommunications providers in Florida. In particular, the proposed transaction will enhance the ability of InfoHighway to increase its presence and service offerings in Florida and provide customers with extraordinary customer service, billing options, competitive pricing and the wide range of service offerings available from InfoHighway. As noted above, customers have been notified of the transaction and will have ample time to switch to any other carrier if they choose not to take services from InfoHighway.

Given the increasingly competitive nature of the telecommunications market, the Parties are seeking to complete the proposed transactions as soon as possible to ensure that customers can obtain rapidly the benefits of the proposed transaction.



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Respectfully submitted,

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860-251-5211 (Fax)  
jjanelle@goodwin.com

Counsel for A.R.C. Networks, Inc. d/b/a  
InfoHighway Communications

Counsel for Future Telecom, Inc.

**COPY OF CUSTOMER NOTIFICATION**

February 2, 2006

Dear Valued Customers:

A.R.C. Networks, Inc. d/b/a InfoHighway Communications ("InfoHighway"), an indirect subsidiary of Eureka Broadband Corporation and Future Telecom, Inc. are pleased to announce that InfoHighway will acquire the business and residential customers of Future Telecom.

InfoHighway is a well-established, successful New York-based company with best-in-class customer service and support, state-of-the-art billing platform. InfoHighway has an exciting, innovative set of voice, data and Internet services, and a customer base of almost 14,000 accounts. The company has more than \$110 million in revenue and serves approximately 150,000 access lines in 14 Northeastern and Mid-Atlantic states.

We know you will be pleased with the quality of InfoHighway's services and want to assure you that you will continue to receive all the features/services you currently have and the change will not affect the price of those services.

You may, of course, choose another carrier for your telephone service, subject to any termination restrictions in your current contract. The transfer to InfoHighway will occur on or after March 25, 2006.

The actual effective date of the transfer will depend on when the appropriate state and federal regulatory approvals are received. Customers who have not taken action prior to the transfer date will be transferred to InfoHighway and will have to wait until the migration has occurred before switching to another provider. No action is required by you for InfoHighway to automatically become your local and long distance provider (if you were receiving those services from Future Telecom). Please remember that you are still responsible to pay bills for services provided during the transition period.

You will not be charged any carrier-change fees as a result of the transaction. Please note that any "freeze" you have placed on your existing telephone lines to prevent unauthorized transfer to another long distance carrier will be over-riden for purposes of this transaction, and will need to be reinstated by you after the transfer is complete.

Providing excellent and uninterrupted service to our valued customers continues to be our top priority. Your existing rates, configuration and billing will remain the same, with no changes. The only change will be that, in the future, the combined InfoHighway/Future entity will be able to offer you new and innovative services including VoIP and Hosted PBX solutions.

If you have any questions about the transaction and/or your account, please feel free to contact Future Telecom's Customer Care department at 1 (888) 450-8309.

Sincerely,

Raul A. Martynek  
President and CEO  
Eureka/InfoHighway

Patrick Gentemann  
Chairman  
Future Telecom

## Verifications

VERIFICATION

I, **RAUL MARTYNEK**, being duly sworn according to law, depose and say that I am the *President* of A.R.C. Networks, Inc. ("A.R.C."); that I am authorized to and do make this Verification for it; that the facts set forth in the above notice are true and correct to the best of my knowledge, information and belief, and that I expect A.R.C. to be able to prove the same at any hearing hereof; and that A.R.C. understands that, if the contents of the notice are found to be false or to contain misrepresentations, any authority granted may be suspended or revoked. I further depose and say that the authority to submit the notice has been properly granted.

*Raul Martynec*  
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RAUL MARTYNEK

STATE OF NEW YORK )  
 )  
COUNTY OF Suffolk ) SS.

SUBSCRIBED AND SWORN to me this 26 day of January, 2006.

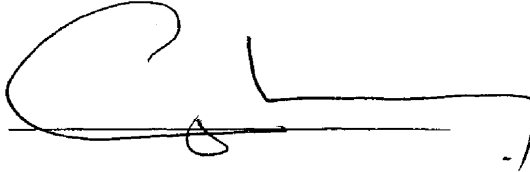
Witness my hand and official seal.

LOIS CIRAOLO  
Notary Public, State of New York  
No. 0701071889  
Qualified in Suffolk County 2007  
Commission Expires July 21, 2007

*Lois Ciruolo*  
\_\_\_\_\_  
Notary Public.

VERIFICATION

I, Patrick Genteman, being duly sworn according to law, depose and say that I am the Chief Executive Officer of Future Telecom, Inc. ("Future"); that I am authorized to and do make this Verification for it; that the facts set forth in the above notice are true and correct to the best of my knowledge, information and belief, and that I expect Future to be able to prove the same at any hearing hereof; and that Future understands that, if the contents of the notice are found to be false or to contain misrepresentations, any authority granted may be suspended or revoked. I further depose and say that the authority to submit the notice has been properly granted.

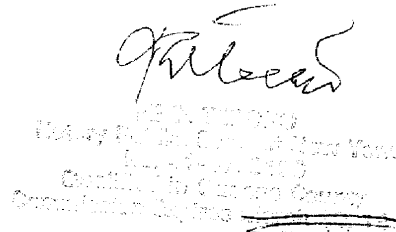


STATE OF New York )  
 )  
COUNTY OF New York ) SS.

SUBSCRIBED AND SWORN to me this 24<sup>th</sup> day of January, 2006.

Witness my hand and official seal.

Notary Public.



July 31, 2006