

CASE ACTION NOTE

DATE: March 28, 1998

TO: Tommy Williams, Division of Communications  
Kim Pons, Division of Legal Services

FROM: Sandy Simmons, Division of Records and Reporting

RE: Docket No.: 871896-TI - Request for approval of transfer of control of US WATS, Inc. d/b/a US WATS Enterprises, Inc. (holder of D/C Cert. No. 2993) to ACC Corp., parent company of ACC National Long Distance Corp. d/b/a ACC Long Distance (holder of D/C Certificate No. 4067)

To the Division indicated in the left margin: Please take the actions checked below in the record of the referenced case.

- ALL 1.  Case **REOPENED** and placed in **ACTIVE** status to vacate Order PSC-88-0280-FOF-TI approving transfer of control of US WATS to ACC Corp. due to notification by the parties of termination of the agreement.
- \_\_\_ 2.  OPR changed to \_\_\_.
- \_\_\_ 3.  OCR changed to \_\_\_.
- \_\_\_ 4.  Enter the following in CMS comments: "Order \_\_\_\_\_, / / /, requires the company to make refunds and file certain related reports. \_\_\_ is to monitor and advise all concerned of the company's compliance or non-compliance and recommended further actions."
- \_\_\_ 5.  Enter the following in CMS comments: "Order \_\_\_\_\_, / / /, authorizes the issuance of securities and requires the company to file a consummation report within 90 days of such issuance. AFA is to monitor and advise all concerned of recommended further actions."
- \_\_\_ 6.  Enter the following in CMS comments: " \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ACK \_\_\_\_\_

AFA \_\_\_\_\_

APP \_\_\_\_\_ **LEG**

GAF \_\_\_\_\_

CMU \_\_\_\_\_

CTR \_\_\_\_\_cc:  Docket File

EAG \_\_\_\_\_  Security File

LEG \_\_\_\_\_PSC/RAR 32 (5/90)

LIN \_\_\_\_\_

OPC \_\_\_\_\_

RCH \_\_\_\_\_

SEC \_\_\_\_\_

WAS \_\_\_\_\_

OTH \_\_\_\_\_

Please file a CASR by April 8, 1998.

DOCUMENT NUMBER-DATE

██████████ MAR 26 8

FPSC-RECORDS/REPORTING

March 23, 1998

**VIA OVERNIGHT DELIVERY**

**Blanca S. Bayo**  
Director, Division of Records & Reporting  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

**Re: Notice of Termination of Agreement  
to Transfer Control of US WATS, Inc. to ACC Corp.  
Docket No. 971506-TI**

Dear Ms. Bayo:

On behalf of ACC Corp. ("ACC") and US WATS, Inc. ("US WATS") (collectively "the Parties"), this letter is to notify the Commission that the Parties have agreed to a mutual termination of the agreement and plan of merger whereby ACC was to acquire US WATS, a nondominant carrier authorized by the Commission to provide resold intrastate interexchange telecommunications services within the State of Florida. This Commission previously granted the Parties' application for approval of the proposed transaction, by Order issued in Docket No. 971506-TI. Recently, however, the Parties concluded that termination was necessary due to certain delays beyond the Parties' control that have made it impossible to conclude the merger prior to the March 31, 1998 termination date.

This letter is filed in connection with the above referenced docket. Please date stamp the enclosed extra copy of this filing and return it in the self-addressed envelope provided. Should you have any questions, please do not hesitate to contact us.

- ACK
- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- GAF \_\_\_\_\_
- CMU
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG  cc:
- LIN \_\_\_\_\_
- OPC \_\_\_\_\_
- RCH \_\_\_\_\_
- SEC  2319861
- WAS \_\_\_\_\_
- OTH *of Sandy*

Respectfully submitted,

  
Russell M. Blau  
Grace R. Chiu

Their Counsel

cc: Kimberly Pena (PSC)  
Daniel J. Venuti, Esq. (ACC)  
Stephen Parker (US WATS)  
Dana Fitz Esq. FILED

FILED IN PUBLIC RECORDS

1000 K STREET, N.W. • SUITE 100  
WASHINGTON, D.C. 20007-5116

DOCUMENT NO.  
  
03/24/98

FLORIDA PUBLIC SERVICE COMMISSION - RECORDS AND REPORTING

Date 2/26/98  
 Number of Originals 2 Copies Per Original 18  
 Requested By Paul G. Miller

Item Presented \_\_\_\_\_  
 Agenda For (Date) \_\_\_\_\_ Order No. 98-0280A In Docket No. 97106  
 Notice of \_\_\_\_\_ For (Date) \_\_\_\_\_ In Docket No. \_\_\_\_\_  
 Other \_\_\_\_\_

Special Handling Instructions \_\_\_\_\_

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| <u>18</u>            | <u>Commission Offices</u>           | <u>--</u> | _____                  |
| <u>(3)</u>           | <u>Docket Mailing List - Mailed</u> | _____     | _____                  |
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Print Shop Verification  
 Job Number 11 Verified By Michael  
 Date and Time Completed 3/3 Job Checked For Correctness and Quality (Initial) \_\_\_\_\_

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