



Public Service Commission

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RECORDS AND REPORTING

DATE: OCTOBER 5, 2000

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)

FROM: DIVISION OF REGULATORY OVERSIGHT (TWILLIAMS) *JPE*
DIVISION OF LEGAL SERVICES (ELLIOTT) *JLC*

RE: DOCKET NO. 000081-TI - REQUEST BY INTERNATIONAL EXCHANGE COMMUNICATIONS, INC. D/B/A IE COM (HOLDER OF IXC CERTIFICATE NO. 5798) AND NOSVA LIMITED PARTNERSHIP (HOLDER OF IXC CERTIFICATE NO. 3560) FOR APPROVAL OF AN ASSET PURCHASE AGREEMENT WHEREBY IE COM WILL PURCHASE AND NOSVA WILL SELL THE INTERNATIONAL OPERATING DIVISION OF NOSVA, INCLUDING ALL CUSTOMERS THEREOF.

AGENDA: 10/17/00 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\RGO\WP\000081.RCM

CASE BACKGROUND

The above docket was initiated pursuant to a request for approval of transfer of control filed jointly by International Exchange Communications, Inc. d/b/a IE COM and NOSVA Limited Partnership on January 21, 2000.

The Commission approved the transfer of control in Order No. PSC-00-0437-PAA-TP, issued March 2, 2000 and consummated by Order No. PSC-00-0599-CO-TP, issued March 28, 2000 (Attachment A).

On August 28, 2000, staff was notified by EllenAnn G. Sands, Nowalsky, Bronston & Gothard, Legal Counsel for International Exchange Communications, Inc. d/b/a IE COM and NOSVA Limited Partnership, that the transfer of control did not take place (Attachment B). Therefore, staff is requesting that Order No. PSC-

DOCUMENT NUMBER-DATE

12696 OCT-58

FPSC-RECORDS/REPORTING

DOCKET NO. 000081-11
DATE: October 05, 2000

00-0437-PAA-TP, issued March 2, 2000 and consummated by Order No. PSC-00-0599-CO-TP, issued March 28, 2000, be vacated.

DISCUSSION OF ISSUES

ISSUE 1: Should Order No. PSC-00-0437-PAA-TP, issued March 2, 2000 and consummated by Order No. PSC-00-0599-CO-TP, issued March 28, 2000, be vacated?

RECOMMENDATION: Yes.

STAFF ANALYSIS: Since the transfer of control did not take place, staff is recommending that Order No. PSC-00-0437-PAA-TP, issued March 2, 2000 and consummated by Order No. PSC-00-0599-CO-TP, issued March 28, 2000, be vacated.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes, this docket should be closed upon issuance of the Commission's vacating order.

STAFF ANALYSIS: This docket should be closed when the Commission's order is issued vacating its approval of the transfer of control.