



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

RECEIVED-PSC
JUN 28 AM 11:54
REGULATORY AND REPORTING

DATE: JUNE 28, 2001

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

FROM: DIVISION OF REGULATORY OVERSIGHT (GILCHRIST) *[Signature]*
DIVISION OF LEGAL SERVICES (ELLIOTT) *[Signature]*

RE: REQUEST FOR APPROVAL OF CONSOLIDATION OF KMC TELECOM INC., AND KMC TELECOM II, INC., INTO KMC TELECOM III, INC., WHEREBY ALL CUSTOMERS AND OPERATIONS OF KMC TELECOM INC. AND KMC TELECOM II, INC., WILL BE TRANSFERRED TO KMC TELECOM III, INC.; FOR CANCELLATION OF ALEC CERTIFICATES, CANCELLATION OF IXC CERTIFICATES, AND FOR TRANSFER AND NAME CHANGE ON AAV CERTIFICATE

AGENDA: 07/10/01 - CONSENT AGENDA - PROPOSED AGENCY ACTION - INTERESTED PERSONS MAY PARTICIPATE

SPECIAL INSTRUCTIONS: S:\PSC\RGO\WP\010328.RCM

Please place the following Requests on the consent agenda for approval.

- DOCKET NO. 010328-TP** - Request for approval of consolidation of KMC Telecom Inc. (holder of ALEC Certificate No. 4733, IXC Certificate No. 4792, and AAV Certificate No. 4822), and KMC Telecom II, Inc. (holder of ALEC certificate No. 5617 and IXC Certificate No. 5616) into KMC Telecom III, Inc. (holder of ALEC Certificate No. 7093 and IXC Certificate No. 7092), whereby all customers and operations of KMC Telecom Inc. and KMC Telecom II, Inc., will be transferred to KMC Telecom III, Inc.; for cancellation of ALEC Certificates Nos. 4733 and 5617, cancellation of IXC Certificates Nos. 4792 and 5616; and for transfer and name change on AAV Certificate No. 4822 from KMC Telecom Inc. to KMC Telecom III, Inc.

The Commission is vested with jurisdiction on this matter pursuant to Sections 364.337, 364.345, 364.335 and 364.33, Florida Statutes. A Regulatory Assessment Fee Return notice will be mailed in December to each of the entities listed above for payment in January.

DOCUMENT NUMBER-DATE

08018 JUN 28 01

FPSC-RECORDS/REPORTING