



**Teligent, Inc.**  
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Vienna, Virginia 22182  
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August 24, 2001

VIA OVERNIGHT MAIL

Ms. Blanca S. Bayo  
Director of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0870

010000-PK

**Re: Teligent Services, Inc. -- Notice of Discontinuance of Alternative Local Exchange and Data Services**

Dear Ms. Bayo:

Teligent Services, Inc. ("Teligent") hereby notifies the Florida Public Service Commission ("Commission") of its need to discontinue, for the near term, the provision of local exchange and data services in the state of Florida on or about September 27, 2001.<sup>1</sup> In its Order dated February 13, 1997, the Commission granted Teligent Certificate No. 4804 to provide intrastate alternative local exchange telecommunications services to customers in the state of Florida.<sup>2</sup> As described herein, Teligent must discontinue the provision of local exchange and data services in some markets for the near term due to its Chapter 11 status and its inability to financially support the facilities and operations necessary to provision such services at this time.<sup>3</sup> By approximately September 27, 2001, Teligent will no longer have facilities and supporting operations available to maintain the provision of interconnected fixed-wireless facilities-based local and data services to its Florida customers.<sup>4</sup> Despite this need to discontinue service in the

<sup>1</sup> Currently, Teligent provides basic local exchange and data services to its business customers in the Orlando market area.

<sup>2</sup> See Application for certificate to provide alternative local exchange telecommunications service by Microwave Services, Inc., *Notice of Proposed Agency Action -- Order Granting Certificate to Provide Alternative Local Exchange Telecommunication Services*, Docket No. 961337-TX, Order No. PSC-97-0162-FOF-TX, issued February 13, 1997 (issuing Certificate No. 4804). This certification (Certificate No. 4804) was subsequently transferred from Microwave Services, Inc., Teligent's predecessor, to Teligent Services, Inc. See Request for approval of assignment and name change on Alternative Local Exchange Telecommunications Certificate No. 4804 from Teligent, Inc. to Teligent Services, Inc., a wholly owned subsidiary of Teligent, Inc., *Consummating Order*, Docket No. 990634-TX, Order No. PSC-99-1673-CO-TX, issued August 30, 1999.

<sup>3</sup> On May 21, 2001, Teligent filed a voluntary petition for protection under Chapter 11 of the U.S. Bankruptcy Code in the U.S. Bankruptcy Court for the Southern District of New York. See Case No. 01-12974 (SMB) (Bankr. S.D.N.Y.). Teligent notified the Commission of its Chapter 11 filing via letter dated that same day. See Attachment I.

<sup>4</sup> Teligent does not currently offer residential service to customers nor does it provide resold local services. Thus, no residential customers will be affected by the approval of this application. Approximately 85 customers in the state will be affected by this discontinuance.

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near term, Teligent is *not* seeking to cancel its certificate as it hopes to once again offer these services to Florida customers in the future.

Teligent is currently reorganizing its debt, capital structure and operations under Chapter 11 court supervision to attract a buyer or strategic investor that will commit the funding necessary to position the company to regain the financial strength it requires to compete effectively in the marketplace and to bring the benefits of competition to consumers. To accomplish the objective of the Chapter 11 reorganization process however, Teligent must restructure its markets around a more efficient, cost effective business model that will result in a financially stronger company. This goal cannot begin to be achieved without affecting services in certain Teligent markets in the near term.<sup>5</sup> Teligent has only enough capital to fund its existing Florida-based local and data network for a few more weeks, therefore, this network *must be decommissioned* as soon as possible.

In order to ensure that affected customers receive sufficient, yet regulatory compliant, notice that Teligent will no longer have facilities necessary to provide their services beyond September, Teligent has sent each of its affected customers a letter indicating that it will soon need to discontinue the provision of their service. (See attached sample letter.)<sup>6</sup> Teligent previously sent each of its customers a letter about its Chapter 11 filing on May 21, 2001, indicating in that letter that if their service was ultimately affected they would receive at least 30 days' notice. In a subsequent mailing, Teligent also notified these customers of its Federal Communications Commission (FCC) application for authority to discontinue certain services in each of its markets.<sup>7</sup>

Consistent with the representations made in the notification letters discussed above, Teligent will diligently work with affected customers to help them transition to new service providers. Once Teligent's customers identify an alternative service provider, Teligent will work with each customer and its new service provider to ensure that an orderly and seamless transition of service for that customer occurs. Teligent has established a special internal process to enable it to process local service requests ("LSRs") to port out its customers' numbers on an expedited basis and to work with the carrier submitting the LSR to correct any deficiencies in the LSR immediately to enable it to be processed without further delay. Teligent's ability to assist in the

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<sup>5</sup> Teligent has been offering service in 43 markets nationwide.

<sup>6</sup> When Teligent initially began providing local and data services approximately three years ago, it recognized that its facilities-based local network depended on landlord acquiescence, among other things, for the continued ability to place facilities on/in buildings where its customers were located. Teligent therefore included a provision in each of its state and federal tariffs indicating that its provision of service is subject to the availability of necessary facilities, including the consent of the building owner (among other things). Teligent also includes this language in each of its Customer Service Agreements that all Teligent customers sign prior to ordering any services, even those pursuant to tariff. See, e.g., Teligent Services, Inc. Tariff F.C.C. No. 2, Page 14, Section 3.2.1; Teligent Services, Inc., Florida Price list No. 1, Sheet 14, Section 2.3.1. Thus, Teligent customers are aware at the time they take Teligent service that if facilities are no longer available, service may not be provided.

<sup>7</sup> See Comments Invited on Teligent, Inc. and its Domestic Subsidiaries' Application to Discontinue Domestic Telecommunications Services, *Public Notice*, NSD File No. W-P-D-502, released July 5, 2001.

seamless transition of its customers' service to another carrier will be enhanced if the Commission encourages any certificated Florida carrier who will be picking up Teligent's customers to use their best efforts to expedite the provision of such alternative service to the maximum extent possible. Because Teligent's service is provided primarily on a "facilities-based basis," Teligent cannot simply "default" its customers to the incumbent or another carrier, an option that is otherwise available to resale carriers. Thus, Teligent will need to rely on the cooperation of the customer's chosen alternative carrier to facilitate turning up the customer's new service on a timely basis.

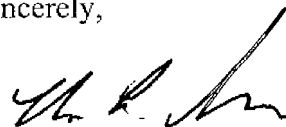
In spite of its need to discontinue certain services in certain markets at this time, Teligent *is not* seeking to cancel its Florida certificate.<sup>8</sup> As Teligent has indicated previously, it hopes that at the conclusion of its Chapter 11 reorganization process it will be in a position to emerge, with new sources of funding and potentially new ownership, and commence the rebuilding of its local and data services network in Florida in a more efficient and cost-effective manner so that it can once again offer customers in these markets high quality, lower cost competitive telecommunications services.<sup>9</sup> In addition to this notification letter, Teligent will file a price list amendment with the Commission indicating that the offering of its affected Florida services is currently suspended as of the discontinuance date until a subsequent filing is made indicating the date when the offering of these services will be resumed.

Finally, a search of the Commission's rules failed to produce any rules specific to the disconnection of service to customers in the case of bankruptcy. Thus, Teligent is sending this notification letter in order to appraise the Commission of this situation as it may result in inquiries to the Commission. Should the Commission nevertheless determine that Commission action is required in such circumstances, Teligent respectfully requests that this notification be treated as an application and processed on an expedited basis.

If you have any questions concerning this notification, please contact the undersigned at (703) 762-5510 or Terri B. Natoli, Vice President of Regulatory Affairs and Public Policy at (703) 762-5183.

Thank you for your time and consideration.

Sincerely,



Victoria A. Schlesinger  
Associate General Counsel

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<sup>8</sup> Teligent will continue to comply with all the regulatory requirements of an authorized entity, including filing any reports, fees, updates, etc.

<sup>9</sup> Teligent is in the process of finalizing a transaction that, if consummated, would provide the funding necessary for Teligent, as a new company, to continue providing service. If necessary, an application seeking authority to consummate this transaction will be filed in the very near future.



**Teligent, Inc.**  
8065 Leesburg Pike, Suite 400  
Vienna, Virginia 22182  
voice: 703.762.5183  
fax: 703.762.5584

May 21, 2001

**Terri B. Natoli**  
Vice President  
Regulatory Affairs and Public Policy

Blanca S. Bayo, Director of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399

Re: Teligent Services, Inc. – Notice of Voluntary Petition for Reorganization

Dear Ms. Bayo:

As you may already be aware, Teligent, Inc., including its subsidiary, Teligent Services, Inc. ("Teligent"), announced earlier today that it had voluntarily filed a petition for protection under Chapter 11 of the U.S. Bankruptcy Code in order to reorganize its operations and financial structure. This letter is intended to provide the Commission with prompt notice of this action and to assure the Commission of Teligent's continuing commitment to bring the promise of competition to consumers in your state.

Chapter 11 status will enable Teligent to reorganize its debt and capital structure under court supervision so that it can continue to offer and provide high quality broadband services. Teligent expects to continue its day-to-day operations while it uses the reorganization process to regain the financial strength it requires to compete effectively in the marketplace and to bring the benefits of competition to consumers.

During the Chapter 11 reorganization period, Teligent plans to continue operations throughout its service territory, although some restructuring of its market operations will be necessary. To the extent that Teligent finds it necessary to restructure its markets in a manner that would affect certain services in specific locations, Teligent will provide at least 30-days' written notice to any affected customers. In addition, Teligent assures you that it will use its best efforts to facilitate the seamless transition of those customers' service to alternative providers of the customers' choice.

Unlike certain other competitive service providers that have sought Chapter 11 protection and ultimately ended up liquidating their assets, Teligent's goal is to emerge from this process as a stronger company with a viable and focused business plan going forward.

If you have any questions concerning this information or Teligent's plans in your state, please do not hesitate to contact me at (703) 762-5183 or Victoria Schlesinger, Teligent's Associate General Counsel, at (703) 762-5510.

Very truly yours,

A handwritten signature in cursive script that reads "Terri B. Natoli".

Terri B. Natoli  
Vice President, Regulatory Affairs  
and Public Policy



8065 Leesburg Pike  
Suite 400  
Vienna, VA 22182

August 24, 2001

Dear

### **Important News Regarding Your Teligent Services in The State of Florida**

As you may be aware, Teligent filed a voluntary petition for protection under Chapter 11 of the U.S. Bankruptcy Code in order to reorganize its operations and financial structure. As part of this reorganization, Teligent must restructure certain market operations, which unfortunately impacts the availability of facilities and certain services in your market.

We regret that as part of the reorganization, as early as September 27, we will no longer have the facilities necessary and available to provide local service and/or Internet services to you at your location(s) in the Orlando, Florida area (Teligent's tariff Florida Price List No.1, which governs the provision of our local exchange service, indicates that the provision of such service is subject to the availability of necessary facilities.)

We are sending you this important notice to advise you that because facilities will soon no longer be available, we have no other option but to discontinue your local and/or Internet services as of September 27. Any orders currently pending for these services also will not be fulfilled. Your Teligent long distance service will not be affected, however, if you choose to keep this service.

If you subscribe to any Internet service at this (these) location(s), Teligent must also discontinue your Internet service(s) (including Dedicated Internet Access [DIA] and Digital Subscriber Line [DSL] services, Teligentf lost, Email). In accordance with Section 4 of the General Terms and Conditions governing your service, Teligent is providing 30 days' notice that your Internet service(s) will be disconnected as of September 27. We've enclosed a checklist to assist you in your transition process to a new ISP.

Because we appreciate your company's business with Teligent and understand the concerns you may have in transitioning to new provider(s), please be assured Teligent stands ready to assist you once you have selected an alternate provider(s) to make this transition as seamless as possible. Should you experience difficulty or delay in getting your alternative service provisioned by this date, please immediately contact Teligent Customer Services at 1-888-411-1175 for further assistance.

If you also have Teligent long distance, we want reemphasize that these developments **will not affect your long distance (LD) service** in any way if you choose to keep this service. As a valued customer, you will still continue to receive the same competitive long distance rates that you currently enjoy, as well as have access to Teligent's 24x7x365 Customer Service, and continue to enjoy all the plan features you currently have.

Over, Please

Please follow these simple steps to keep your same great LD rates with Teligent:

1. Contact the local service provider of your choice to obtain local service.
2. When the local provider asks who you would like to carry your LD, ask for **Teligent**.
3. The local provider then will ask for Teligent's Carrier Identification Code (CIC). Please respond with: 0444.
4. Call Teligent Customer Services at 1-888-411-1175 to confirm your decision to keep Teligent as your long distance provider.

If your Teligent order is still pending and included long distance service, although we will not be able to fulfill any orders for local and/or Internet services, we are pleased to inform you that we will be able to proceed with your LD service, at the same rates you were promised in your original contract. **However, in order to proceed with your LD service order, you must contact us as described below.**

1. Please call Teligent Customer Services at 1-888-411-1175 to confirm your decision to sign up for Teligent LD service.
2. Contact the local service provider of your choice to obtain local service, or contact your current local provider to advise you are switching long distance carriers.
3. When the local provider asks who you would like to carry your LD, ask for **Teligent**.
4. The local provider then will ask for Teligent's Carrier Identification (CIC). Please respond with : 0444.

We thank you for your business and regret the inconvenience this change in service may cause you. Please feel free to contact Teligent Customer Services at 1-888-411-1175 if you have any questions about this letter. We are here to serve you, 7 days a week, 24 hours a day.

Sincerely,

Teligent Customer Services

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