

State of Florida



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-**

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COMMISSION CLERK

**DATE:** DECEMBER 5, 2001  
**TO:** DIRECTOR, DIVISION OF THE COMMISSION CLERK & ADMINISTRATIVE SERVICES (BAYÓ)  
**FROM:** DIVISION OF COMPETITIVE SERVICES (M. WATTS/FONDO) *FW* *MTA* *DA*  
DIVISION OF LEGAL SERVICES (CHRISTENSEN) *SK*  
**RE:** DOCKET NO. 011366-TI - PETITION FOR LIMITED WAIVER OF RULE 25-4.118, F.A.C., INTEREXCHANGE CARRIER SELECTION, BY PNG TELECOMMUNICATIONS, INC. D/B/A POWERNET GLOBAL COMMUNICATIONS.  
**AGENDA:** 12/17/2001 - REGULAR AGENDA - PROPOSED AGENCY ACTION - INTERESTED PERSONS MAY PARTICIPATE  
**CRITICAL DATES:** NONE  
**SPECIAL INSTRUCTIONS:** NONE  
**FILE NAME AND LOCATION:** S:\PSC\CMP\WP\011366.RCM

CASE BACKGROUND

On October 17, 2001, this Commission received a petition seeking a waiver of the interexchange carrier selection requirements of Rule 25-4.118, Florida Administrative Code, from PNG Telecommunications, Inc. d/b/a PowerNet Global Communications (the Petitioner). The Petitioner is a certificated interexchange company (IXC) operating in Florida. The Petitioner agreed to purchase the customer base of Atlantic Telephone Company, Inc. (ATEL), on a cash basis; no assets or securities were exchanged.

The basis for seeking a waiver is set forth in Rule 25-24.455(4), Florida Administrative Code. The Commission may consider whether the petition is in the public interest, whether market forces obviate the need for the provision in a particular instance, and whether reasonable alternative regulatory methods may serve the same purpose. Rule 25-24.490, Florida Administrative

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Code, incorporates Rule 25-4.118, Florida Administrative Code, into the IXC provisions of Chapter 25-24, thus the waiver provisions are applicable to a petition by an IXC to waive Rule 25-4.118, Florida Administrative Code.

The petition states that during the week of September 10, 2001, the Petitioner mailed a letter to all affected ATEL customers explaining the transfer and assuring them that the quality of service and low rates they received with ATEL will continue with the Petitioner. The affected ATEL customers were informed that they would continue to receive quality long distance services at comparable or lower rates from the Petitioner without interruption and without needed action. The affected ATEL customers were also reminded that they are under no obligation to take service from the Petitioner, and that they are free to select another company to transmit their long distance calls. The petition, with its attachments, is included in this recommendation as Attachment A and a copy of the letter sent to affected ATEL customers is attached to the petition as Exhibit A. The petition states that the company expected the transfer of the customers from ATEL to itself to be complete on or before November 15, 2001.

This is not the first request in which a certificated company purchasing the customer base of another certificated company has come before the Commission seeking a waiver of the interexchange carrier selection rules. The Commission granted previous requests in Order Nos. PSC-00-1090-PAA-TI, issued June 6, 2000, in Docket No. 000364-TI, and PSC-01-0050-PAA-TI, issued January 8, 2001, in Docket No. 001669-TI.

The Commission is vested with jurisdiction over these matters pursuant to Sections 364.01, 364.337 and 364.603, Florida Statutes. Accordingly, staff believes the following recommendations are appropriate.

**DISCUSSION OF ISSUES**

**ISSUE 1:** Should PNG Telecommunications, Inc. d/b/a PowerNet Global Communications be relieved in this instance of the interexchange carrier selection requirements of Rule 25-4.118, Florida Administrative Code, Local, Local Toll, or Toll Provider Selection?

**RECOMMENDATION:** Yes. (M. WATTS/FONDO/CHRISTENSEN)

**STAFF ANALYSIS:** Pursuant to Rule 25-4.118(1), Florida Administrative Code, a customer's service provider shall not be changed without the customer's authorization. Rule 25-4.118(2), Florida Administrative Code, provides that an IXC shall submit a change request only if one of the following has occurred:

(a) The provider has a letter of agency from the customer requesting the change;

(b) The provider has received a customer-initiated call for service;

(c) A third party firm has verified the customer's requested change.

Pursuant to Rule 25-24.490, Florida Administrative Code, Rule 25-4.118, Florida Administrative Code, is incorporated into Chapter 25-24, Florida Administrative Code, and applies to IXCs.

Rule 25-24.455(4), Florida Administrative Code, states as follows:

An interexchange company may petition for a waiver of any provision of this Part. The Commission may grant a waiver to the extent that it determines that it is consistent with the public interest to do so. The Commission may grant the petition in whole or part, may limit the waiver to certain geographic areas and/or may impose reasonable alternative regulatory requirements on the petitioning company. In disposing of a petition, the Commission may consider:

(a) The factors enumerated in Section 364.337(2), Fla. Statutes; [Now found in Section 364.337(4), F.S., 2001.]

(b) The extent to which competitive forces may serve the same function as, or obviate the necessity for, the provision sought to be waived; and

(c) Alternative regulatory requirements for the company which may serve the purposes of this Part.

Staff believes that in this instance it is in the public interest to waive the carrier selection requirements of Rule 25-4.118, Florida Administrative Code. The company has provided for a seamless transition while ensuring that the affected customers understand available choices with the least amount of disruption to the customers. The customers appear to have received sufficient notification of the transfer and to have had the opportunity to choose another carrier. If prior authorization had been sought from the affected customers in accordance with Rule 25-4.118, Florida Administrative Code, customers may have failed to respond to the request for authorization or neglected to select another carrier, thereby losing their long distance service.

However, staff is concerned that the Petitioner apparently notified the affected ATEL customers via a letter that was not approved by the Commission more than a month prior to filing its petition with the Commission. Staff notes that in Docket No. 010289-TI, Petition for waiver of Rule 25-4.118, F.A.C., Interexchange Carrier Selection, by PNG Telecommunications, Inc. d/b/a PowerNet Global Communications, the proposed customer notification letter originally submitted with the petition was found by staff to be insufficient in that it failed to notify the prospective customers that the change would affect their local toll provider selection as well as their toll provider. Staff requested that the Petitioner revise its customer notification letter before it would recommend that the Commission grant the petition. By mailing the letter to affected customers prior to filing the petition, staff is unable to ensure that the letter serves as an adequate substitute for the protections afforded customers against unauthorized carrier changes by Rule 25-4.118, Florida Administrative Code.

Staff is also concerned that the actual transfer of the customers may have begun as early as October 16, 2001, the day before the request for waiver was filed with the Commission. The attachment to the petition marked by the Petitioner as "Exhibit B, FCC Notice," states that the ATEL customers would be transferred to the Petitioner on October 16, 2001. The petition itself, however, states that the transfer would be complete on or before November 15, 2001. In either case, it appears that customers are being

transferred prior to the Commission's review and vote on the Petitioner's request for waiver of Rule 25-4.118, Florida Administrative Code.

Staff understands that the dynamics of such business transactions can involve some level of uncertainty such that the company may not be able to provide an exact date that the customer base would be transferred. However, it appears that the Petitioner had known far enough in advance to prepare a notification letter and mail it out to the affected ATEL customers more than a month before the initiation of the planned transfer action. Staff notes that the Petitioner notified the Federal Communications Commission one month before the planned transfer and, therefore, could have timely filed its petition.

The number of petitions for waiver of Rule 25-4.118, Florida Administrative Code, filed with the Commission to date is small, but is certain to grow. The Commission has, in at least one instance, such as the first such waiver request filed by the Petitioner, previously approved a request for waiver of Rule 25-4.118, Florida Administrative Code, that was filed after the affected customers had been notified. Most such petitions, though, have requested Commission approval of the notification letters and appear to have been filed prior to the notification letter being sent to the affected customers. Staff does not intend to recommend that the Commission unnecessarily impede business transactions among telecommunications providers in Florida. However, requesting a waiver of a rule under the Commission's jurisdiction after the company appears to have violated the rule, or at such a time that it will have violated the rule prior to issuance of the Consummating Order, appears to be improper and displays an unacceptable disregard for the authority of the Commission. Staff believes that, in the future, when companies intend to purchase or transfer customer bases, they should either file a timely petition for waiver of Rule 25-4.118, Florida Administrative Code, or obtain a signed Letter of Agency from each affected customer prior to switching the respective customer's service. Failure to timely take one of these actions could possibly result in a penalty for apparent unauthorized carrier changes of the affected customers and the issuance of credit to the affected customer's accounts in accordance with Rule 25-4.118(8), Florida Administrative Code.

Nevertheless, staff recommends that the interexchange carrier selection requirements in Rule 25-4.118, Florida Administrative

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Code, be waived for the customer accounts affected by PNG Telecommunications, Inc. d/b/a PowerNet Global Communications' purchase of the customer base of Atlantic Telephone Company, Inc.

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**ISSUE 2:** Should this docket be closed?

**RECOMMENDATION:** If the Commission approves staff's recommendation on Issue 1, then the Proposed Agency Action Order shall become final and effective upon the issuance of a Consummating Order, unless a person whose substantial interests are affected files a protest within 21 days of the issuance of this Order. If no timely protest to the Proposed Agency Action is filed within 21 days of the date of issuance of the Order, this docket should be closed administratively upon issuance of the Consummating Order.  
**(CHRISTENSEN)**

**STAFF ANALYSIS:** If the Commission approves staff's recommendation on Issue 1, then the Proposed Agency Action Order shall become final and effective upon the issuance of a Consummating Order, unless a person whose substantial interests are affected files a protest within 21 days of the issuance of this Order. If no timely protest to the Proposed Agency Action is filed within 21 days of the date of issuance of the Order, this docket should be closed administratively upon issuance of the Consummating Order.



4839 Business Center Way  
Cincinnati, OH 45246

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E-Mail: solutions@pngcom.com  
www.powernetglobal.com

October 16, 2001

Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
Betty Easley Conference Center  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

011366-TI

**Re: Petition of PNG Telecommunications, Inc. d/b/a  
PowerNet Global Communications for limited waiver of  
25-4.118 F.A.C.**

Dear Ms. Bayo:

PowerNet Global Communications (PNG) by its attorney, submits an original and eight copies of a Petition of PNG Telecommunications, Inc. d/b/a PowerNet Global Communications for limited waiver of 25-4.118 F.A.C. Please stamp one copy and return it in the enclosed, self-addressed, stamped envelope.

Please do not hesitate to contact me if you should have any questions or concerns at 513-645-1400, ext. 240 or e-mail me at [dlbenedict@pngcom.com](mailto:dlbenedict@pngcom.com). Dennis Packer may be contacted at 513-645-1400, ext. 290 or [dpacker@pngcom.com](mailto:dpacker@pngcom.com).

Sincerely,

Donna Benedict  
Legal Administrative Assistant

/db

Enclosures

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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In the Matter of the Petition of	)	
PNG Telecommunications, Inc.	)	Docket No. <u>011366-TI</u>
d/b/a PowerNet Global Communications	)	
for limited waiver of 25-4.118 F.A.C.	)	
	)	
	)	
	)	
	)	

**PETITION FOR LIMITED WAIVER OF 25-4.118 F.A.C.**

Pursuant to Fla. Stat. §364.337(4) and F.A.C. §25-24.455, PNG Telecommunications, Inc. d/b/a PowerNet Global Communications ("PNG"), a certificated interexchange carrier, respectfully petitions the Commission for a waiver of the requirements set forth in 25-4.118 F.A.C. regarding interexchange carrier selection. Granting PNG's petition is in the public interest.

**I. Factual Background**

PNG provides resold intraLATA toll and interexchange telecommunications services in the State of Florida pursuant to the Commission's grant of a Certificate of Public Convenience and Necessity by Order No. PSC-95-0587-FOF-TI in Docket No. 941328-TI (Company Code TI346, Certificate No. 3981)<sup>1</sup>.

PNG agreed to purchase the customer base of Atlantic Telephone Company, Inc. ("ATEL"). PNG will purchase the customers on a cash basis; no assets or securities will be

<sup>1</sup> The Commission has also granted PNG authority to provide service as an ALEC (Company Code TX409, Certificate No. 7369) although no customer's local exchange service will be switched as a result of the transaction between PNG and ATEL.

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exchanged. PNG and ATEL hope to complete transfer of the customers to PNG's network on or before November 15, 2001.

During the week of September 10, 2001, PNG mailed a letter to the affected ATEL customers explaining the transfer and assuring them that the quality of service and low rates they have enjoyed with ATEL will continue with PNG. The affected ATEL customers were informed that they would continue to receive quality long distance services at comparable or lower rates from PNG without interruption and without needed action. The affected ATEL customers were also reminded that they are under no obligation to take service from PNG, and that they are free to select another company to transmit their long distance calls. A copy of the letter is attached as Exhibit A.<sup>2</sup>

PNG filed the required notice to the Common Carrier Bureau of the Federal Communications Commission on September 12, 2001 in accordance with revised Section 64.1120 of the Commission's Rules. A copy of the filed notice is attached as Exhibit B.

The special circumstances warranting a deviation or waiver from the Commission's rules and order include the need to provide seamless transitions of long distance service for the affected ATEL customers.

## II. Argument

Pursuant to the Commission's rules, before submitting a preferred carrier change, carriers must verify the subscriber's authorization of the change by one of the methods set forth in 25-

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<sup>2</sup> This notice was sent pursuant to the amended rules promulgated by the Federal Communications Commission in First Report and Order, *In the Matter of 2000 Biennial Review-Review of Policies and Rules Concerning Unauthorized Changes of Consumers Long Distance Carriers*, CC Docket No. 00-257 (May 15, 2001) and Fourth Report and Order, *In the Matter of Implementation of the Subscriber Carrier Changes Provisions of the Telecommunications Act of 1996, Policies and Rules Concerning Unauthorized Changes of Consumers Long Distance Carriers*, CC Docket No. 94-129 (May 15, 2001)

4.118 F.A.C. Section 25-24.455(4) F.A.C. provides that:

[a]n interexchange company may petition for waiver of any provision of this Part. The Commission may grant a waiver to the extent that it determines that it is consistent with the public interest to do so. The Commission may grant the petition in whole or in part, may limit the waiver to certain geographic areas and/or may impose reasonable alternative regulatory requirements on the petitioning company.

In disposing of a petition, the Commission may consider whether the petition is in the public interest, whether market forces obviate the need for the provision in a particular instance and whether reasonable alternative regulatory methods may serve the same purpose.

25-24.455(4)(a)-(c) F.A.C.

PNG believes that its petition is in the public interest and that alternative regulatory methods will serve the same purpose in this instance as the Commission's primary interexchange carrier change verification rules. PNG requests that the Commission accept the notice letter attached as Exhibit A in lieu of verification procedures of 25-4.118 F.A.C. The affected customers were notified that their interexchange service will be continued with PNG at the same or lower rates without action required of them; that they may receive a credit for any charge imposed by their local exchange carrier for changing their primary interexchange carrier; and that they are under no obligation to take service from PNG and may select another primary interexchange carrier. Customers were also given PNG's toll-free customer service numbers to call with any questions they may have about the transaction. PNG believes that the notice letter adequately serves the purpose of assuring that customers who remain with PNG genuinely want PNG as their interexchange and intraLATA toll carrier.

On the other hand, the Commission's verification rules would not be served by obtaining prior authorization and verification in order to switch the affected customers of ATEL to PNG.

Customers who may not understand the need to authorize the change in their intraLATA toll and interexchange service provider and who, therefore, fail to respond to a request for authorization, could lose their service or pay potentially higher rates.

Expedited action on this waiver is requested. The purchase agreement provides that time is of the essence in the transfer of the customer base to accommodate ATEL's business plans. Granting PNG's application would allow PNG to provide a seamless transition to former ATEL customers, while ensuring that the affected customers clearly understand available choices. Therefore, the Commission should grant PNG's request for expedited waiver of the Commission's verification rules set forth in 25-4.118 F.A.C.

Respectfully submitted,

POWERNET GLOBAL COMMUNICATIONS



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Dennis M. Packer  
General Counsel  
4839 Business Center Way  
Cincinnati, Ohio 45246  
Tel: (513)645-1400, ext. 290  
Fax: (877)893-8388  
E-mail: [dpacker@pngcom.com](mailto:dpacker@pngcom.com)

Exhibit A  
Notice Letter



4839 Business Center Way  
Cincinnati, OH 45246

Phone: 513-942-7900

Fax: 513-942-5579

e-mail: [solutions@pngcom](mailto:solutions@pngcom)

[www.powernetglobal.com](http://www.powernetglobal.com)

Dear Atlantic Telephone Customer,

PowerNet Global Communications, a national provider of long-distance, data and Internet services has entered into an agreement with Atlantic Telephone ("ATEL") whereby PowerNet Global will purchase the assets of ATEL. As part of this transaction, ATEL and PowerNet Global have agreed to transfer ATEL customer accounts from ATEL to PowerNet Global. PNG will continue to offer you the same excellent service offered by ATEL coupled with the low rates offered by PowerNet Global.

PowerNet Global offers customers simple, flat-rate pricing any time of the day or night. So PowerNet Global will be offering you rates comparable to if not lower than the rates you are currently getting with ATEL.

ATEL and PowerNet Global will work together to ensure that your transition to PowerNet Global will be seamless with no interruption of service. Nor will you be required to pay any switchover fees associated with the transfer. If you have any questions or concerns about your service with ATEL, the change to PowerNet Global or about the rates, terms and conditions of services offered by PowerNet Global, we encourage you to call PowerNet Global's customer service at 1-888-637-7703. Our customer service representatives will be happy to discuss the transition with you and to answer any questions you may have.

Beginning now, you will receive your monthly bill from ATEL and PowerNet Global Communications (PNG). Your billing cycle ends on the 16<sup>th</sup> of each month. If you have an outstanding balance with Atlantic Telephone, you will receive a separate statement for this amount.

INSERT SERVICES FOR INDIVIDUAL ACCOUNTS HERE

If you had a calling card with ATEL, your new card is enclosed. If you wish, you may continue to use your old PIN but you must use the Toll Free number printed on the back of the enclosed card to use this calling card service.

**Exhibit A**  
**Notice Letter**

If you do not have a Calling Card or a Toll-Free number but are interested in these convenient, money-saving services please give us a call and we'll be glad to tell you about these services and have them added to your account.

We are confident you will be pleased with the superior service you receive from PowerNet Global. We also recognize, however, that you are free to select another carrier at any time. If you do not choose another carrier before October 16, 2001, PowerNet Global will become your carrier, even if you have arranged for preferred carrier freeze with your local service provider. We want you to know that we value our relationship with you and pledge to provide you with value-added communications solutions and unrivaled customer support.

Sincerely,

Sincerely,

Bernie Stevens  
CEO  
PowerNet Global Communications

Richard Tamplin  
President / Chairman  
Atlantic Telephone

Exhibit B  
FCC Notice



4839 Business Center Way  
Cincinnati, OH 45246

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E-Mail: solutions@pngcom.com  
www.powernetglobal.com

September 12, 2001

Magalie Roman Salas  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

**Re: CC Docket No. 00-257**

Dear Ms. Salas:

PNG Telecommunications, Inc. d/b/a PowerNet Global Communications ("PNG"), pursuant to amended Section 64.1120 of the Commission's Rules<sup>1</sup>, respectfully notifies the Commission of its intent to transfer all presubscribed customers of Atlantic Telephone Company, Inc. ("ATEL") nationwide to PNG without first obtaining each subscriber's individual authorization and verification.<sup>2</sup> Pursuant to amended Section 64.1120 of the Commission's Rules, PNG provides the following information:

Names of Parties to the Transaction: The acquiring carrier is PNG Telecommunications, Inc. d/b/a PowerNet Global Communications. The selling carrier is Atlantic Telephone Company, Inc.

Types of Telecommunications Services Provided to the Affected Customers: PNG provides intrastate, interstate and international long distance services, local services and data services to residential and business customers through a combination of its own facilities and resale of the services of other carriers. PNG is authorized to provide service in 48 states and the FCC has authorized PNG to provide both interstate and international services.

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<sup>1</sup> 47 C.F.R. §64.1120

<sup>2</sup> Pursuant to 47 C.F.R. §64.1150, prior to submitting a preferred carrier change, carriers must either (1) obtain the subscriber's written and signed authorization; (2) obtain confirmation from the subscriber via a toll-free number provided for the exclusive purpose of confirming orders electronically; or (3) utilize an independent third party to verify the subscriber's order.

A TEL provides resold intrastate, interstate and international long distance services to business and residential customers. A TEL has been authorized by the FCC to provide both interstate and international long distance services and ten states have authorized A TEL to provide resold intrastate long distance service.

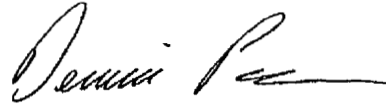
Date of the Transfer: The parties expect that A TEL customers will receive written notification of the transfer by September 17, 2001. A TEL customers will be transferred to PNG on October 16, 2001.

Certification of Compliance: PNG's certification that it will comply with the required procedures for the customer base transfer, including the provision of advance written notice to all affected A TEL customers, is appended hereto as Attachment A.

Notice Sent to Affected Customers: A copy of the notice sent to affected A TEL customers is appended hereto as Attachment B.

Respectfully Submitted

POWERNET GLOBAL COMMUNICATIONS



By:

---

Dennis M. Packer  
General Counsel  
4839 Business Center Way  
Cincinnati, Ohio 45246  
Tel: (513)645-1400, ext. 290  
Fax: (877)893-8388  
[dpacker@pngcom.com](mailto:dpacker@pngcom.com)



**Exhibit B  
FCC Notice**

**CERTIFICATION OF  
PNG TELECOMMUNICATIONS, INC.  
d/b/a  
POWERNET GLOBAL COMMUNICATIONS**

On behalf of PNG Telecommunications, Inc. d/b/a PowerNet Global Communications ("PNG"), and in accordance with Section 64.1120, I hereby certify that:

1. Under penalty of perjury, that I have read the foregoing document and that the statements therein are true, complete and correct to the best of my knowledge, except as to statements therein that stated upon information and belief. As to those statements, I believe them to be true.
2. PNG will comply with the required FCC procedures for the transfer of Atlantic Telephone Company, Inc.'s ("ATEL") customer base to PNG, including the provision of advanced written notice to all affected ATEL customers.

POWERNET GLOBAL COMMUNICATIONS

By: 

Name: Dennis M. Parker

Title: General Counsel

Date: September 13, 2001

Sworn to and subscribed before me this 13<sup>th</sup> day of September, 2001.

  
Notary Public

My Commission expires:                       
STACY A. LEWIS, Attorney at Law  
Notary Public, State of Ohio  
My Commission Has No Expiration Date  
Section 147.03 ORC

**Exhibit B**  
**FCC Notice**

Dear Atlantic Telephone Customer,

PowerNet Global Communications, a national provider of long-distance, data and Internet services has entered into an agreement with Atlantic Telephone ("ATEL") whereby PowerNet Global will purchase the assets of ATEL. As part of this transaction, ATEL and PowerNet Global have agreed to transfer ATEL customer accounts from ATEL to PowerNet Global. PNG will continue to offer you the same excellent service offered by ATEL coupled with the low rates offered by PowerNet Global.

PowerNet Global offers customers simple, flat-rate pricing any time of the day or night. So PowerNet Global will be offering you rates comparable to if not lower than the rates you are currently getting with ATEL.

ATEL and PowerNet Global will work together to ensure that your transition to PowerNet Global will be seamless with no interruption of service. Nor will you be required to pay any switchover fees associated with the transfer. If you have any questions or concerns about your service with ATEL, the change to PowerNet Global or about the rates, terms and conditions of services offered by PowerNet Global, we encourage you to call PowerNet Global's customer service at 1-888-637-7703. Our customer service representatives will be happy to discuss the transition with you and to answer any questions you may have.

Beginning now, you will receive your monthly bill from ATEL and PowerNet Global Communications (PNG). Your billing cycle ends on the 16<sup>th</sup> of each month. If you have an outstanding balance with Atlantic Telephone you will receive a separate statement for this amount.

**INSERT SERVICES FOR INDIVIDUAL ACCOUNTS HERE**

If you had a calling card with ATEL, your new card is enclosed. If you wish, you may continue to use your old PIN but you must use the Toll Free number printed on the back of the enclosed card to use this calling card service.

If you do not have a Calling Card or a Toll-Free number but are interested in these convenient, money-saving services please give us a call and we'll be glad to tell you about these services and have them added to your account.

We are confident you will be pleased with the superior service you receive from PowerNet Global. We also recognize, however, that you are free to select another carrier at any time. If you do not choose another carrier before October 16, 2001, PowerNet Global will become your carrier, even if you have arranged for preferred carrier freeze with your local service provider. We want you to know that we value our relationship with you and pledge to provide you with

**Exhibit B**  
**FCC Notice**

value-added communications solutions and unrivaled customer support.

Sincerely,

Sincerely,

Bernie Stevens  
CEO  
PowerNet Global Communications

Richard Tamplin  
President / Chairman  
Atlantic Telephone