

State of Florida



Public Service Commission  
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TALLAHASSEE, FLORIDA 32399-0850

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COMMISSION CLERK

DATE: FEBRUARY 21, 2002

TO: DIRECTOR, DIVISION OF THE COMMISSION CLERK &  
ADMINISTRATIVE SERVICES (BAYO)

FROM: DIVISION OF COMPETITIVE MARKETS & ENFORCEMENT (WILLIAMS)  
OFFICE OF THE GENERAL COUNSEL (ELLIOTT) JAE JRC

RE: DOCKET NO. 011286-TP - REQUEST FOR APPROVAL OF  
CONSUMMATION OF TRANSACTION ARISING OUT OF CHAPTER 11  
STATUS WHEREBY ALL FLORIDA OPERATIONS AND ASSETS OF  
TELIGENT SERVICES, INC., HOLDER OF ALEC CERTIFICATE NO.  
4804, IXC CERTIFICATE NO. 4850, AND AAV CERTIFICATE NO.  
4707, WILL BE ASSIGNED FROM TELIGENT, INC. TO TAC LICENSE  
CORP., A WHOLLY OWNED SUBSIDIARY OF TELIGENT ACQUISITION  
CORP.; AND REQUEST FOR ASSIGNMENT AND NAME CHANGE ON ALEC  
CERTIFICATE NO. 4804, IXC CERTIFICATE NO. 4850, AND AAV  
CERTIFICATE 4707 FROM TELIGENT TO TAC.

AGENDA: 03/05/02 - REGULAR AGENDA - PROPOSED AGENCY ACTION -  
INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMP\WP\011286.RCM

CASE BACKGROUND

The above docket was initiated pursuant to a request filed on  
September 6, 2001. By Order No. PSC-01-2154-PAA-TP, issued on  
November 5, 2001, and consummated by Order No. PSC-01-2437-CO-TP,  
issued on December 13, 2001, the Commission approved the  
transactions.

By letter dated January 18, 2002, Teligent Services, Inc.  
(Teligent) and TAC License Corporation (TAC License), requested  
that Order No. PSC-01-2154-PAA-TP be vacated in part, in regards to

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the assignment and name changes on the certificates because the requested transaction had not been consummated. The companies have stated that once the transaction is consummated, they will request transfer of the certificates.

The Commission is vested with jurisdiction on this matter pursuant to Sections 364.335, 364.337, and 364.345, Florida Statutes.

Therefore, staff believes that the following recommendations are appropriate:

#### DISCUSSION OF ISSUES

**ISSUE 1:** Should Order No. PSC-01-2154-PAA-TP, issued November 5, 2001, and Order No. PSC-01-2437-CO-TP, issued December 13, 2001, be vacated in part, in regard to the assignment and name change on ALEC Certificate No. 4804, IXC Certificate No. 4850, and AAV Certificate No. 4707?

**RECOMMENDATION:** Yes, the Commission should vacate in part Order No. PSC-01-2154-PAA-TP, issued November 5, 2001, and Order No. PSC-01-2437-CO-TP, issued December 13, 2001, in regard to the assignment and name change on ALEC Certificate No. 4804, IXC Certificate No. 4850, and AAV Certificate No. 4707. **(WILLIAMS, ELLIOTT)**

**STAFF ANALYSIS:** Since the requested transaction has not been consummated, Teligent must continue to operate under its certificates until the transaction is consummated and the service operations are transferred to TAC License. Therefore, staff recommends that Order No. PSC-01-2154-PAA-TP, issued November 5, 2001, and Order No. PSC-01-2437-CO-TP, issued December 13, 2001, be vacated in part, in regard to the assignment and name change on ALEC Certificate No. 4804, IXC Certificate No. 4850, and AAV Certificate No. 4707.

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

**RECOMMENDATION:** Yes, this docket should be closed upon issuance of the Commission's Order to vacate in part Order No. PSC-01-2154-PAA-TP, issued November 5, 2001, and Order No. PSC-01-2437-CO-TP, issued December 13, 2001.

**STAFF ANALYSIS:** This docket should be closed upon issuance of the Commission's Order to Vacate in part Order No. PSC-01-2154-PAA-TP, issued November 5, 2001, and Order No. PSC-01-2437-CO-TP, issued December 13, 2001.