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May 30, 2002

VIA OVERNIGHT MAIL

Ms. Blanco S. Bayo
Director, Division of Public Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Re: Docket No. 011286-TP, Order No. PSC-01-2154-PAA-TP and Order No. PSC-02-0344-FOF-TP
Joint Letter Application of Teligent Services, Inc. and TAC License Corporation for Approval to Consummate a Transaction Arising Out of Chapter 11

Dear Ms. Bayo:

On or about September 6, 2001, Teligent Services, Inc. ("Teligent" or "TSI") together with TAC License Corporation ("TAC" or "New Teligent") filed a Petition describing their plans, at that time, to enter into a transaction that, *if consummated*, would enable TSI's assets and operations to be purchased out of Chapter 11¹ by a newly-formed entity, TAC created solely for this purpose ("TAC Transaction Re-emergence Plan"). On December 13, 2001, wherein the Commission granted its consent to the transfer/assignment of TSI's assets and certificates to TAC. A Consummation order was issued *See* Order No. PSC-01-2154-PAA-TP. A portion of this Order was vacated at Teligent's request, however, effective March 14, 2002, because the TAC transaction had not yet been consummated. *See* Order No. PSC-02-0344-FOF-TP.

The TAC Transaction Re-Emergence Plan, as initially explained to the Commission, was subject, among other things, to the following three conditions precedent: the completion of necessary financing (to both bring the assets and operations out of bankruptcy and to fund on-going operations thereafter); the conclusion of a Chapter 11 bankruptcy auction whereby other bidders could bid to purchase the assets; and the issuance of a Sale Order to TAC. None of these three conditions were satisfied and the TAC Transaction was not able to close.²

¹ *See* Emergency Joint Letter Application of Teligent Services, Inc., and TAC License Corporation – Chapter 11 for Grant of Authority Necessary to Consummate a Chapter 11 "Re-emergence" Plan, Docket No. 011286-TP, filed September 6, 2001, and supplemented via letter dated October 3, 2001. The Commission approved this application pursuant to Notice of Proposed Agency Action: Order Approving Assignment of Florida Operations and Assets, Assignment of and Name Change on Alternative Local Exchange Telecommunications Certificate, Interexchange Telecommunications Certificate and Alternative Access Vendor Certificate. Docket No. 011-286-TP, Order PSC-01-2154-PAA-TP, issued November 5, 2001 and Consummating Order, Docket No. 011-286-TP, Order No. PSC-01-2437-CO-TP, issued December 13, 2002. Effective March 14, 2002, at TSI's request, the Commission vacated Order No. 01-254-PAA-TP and Consummation Order PSC-01-2437-CO-TP in Docket No. 11286-TP because the transaction had not yet closed. *See* Order No. PSC-02-0344-FOF-TP

² A Chapter 11 bankruptcy auction was held on October 29, 2001, but no bids for the Teligent assets or operations were received at that time.

DOCUMENT NUMBER-DATE

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Re: Docket No. 011286-TP, Order No. PSC-01-2154-PAA-TP and Order No. PSC-02-0344-FOF-TP - Joint Letter of Teligent Services, Inc. and TAC License Corporation for Approval to Application of Consummate a Transaction Arising Out of Chapter 11
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Unfortunately, due to the events that occurred in the United States on September 11, 2001, and shortly thereafter, and their severe impact on the financial markets, which were already in a volatile state, TAC was unable to complete the financing necessary to consummate the TAC Transaction Re-emergence Plan, as initially contemplated, by the early December 2001 deadline. Nevertheless, Teligent continued to diligently work with potential investors to enable some type of a Re-emergence Plan, potentially through the TAC legal entity, to occur.

Recently, after several months of continuing to work with its senior secured lender group and to develop an alternative plan to the original TAC Transaction that would enable Teligent to emerge from bankruptcy in some form, Teligent was able to develop a Plan of Reorganization ("POR") that will enable TSI to emerge *as a going concern*, in fact, as the same corporate entity initially certificated by this Commission. TSI has, this same day, submitted correspondence to the Commission describing its POR and asking for any necessary consent thereto.³

As a result, it is no longer necessary that TAC becomes certified to provide service through the transfer or assignment of TSI's existing certificates. See attached sworn verification from TAC's sole officer, Richard Hozik, confirming this fact. Consequently, Teligent and TAC respectfully request that the Commission vacate, cancel or otherwise rescind, without prejudice, to the extent necessary, the consent it previously granted to TSI to consummate the Re-emergence Plan through the TAC Transaction and to transfer its certificates to TAC.

Upon review of this correspondence, if you have any questions, please do not hesitate to contact me at 703-326-4750 (telephone), 703-326-4887 (fax), or terri.natoli@teligent.com (email).

Sincerely,



Terri B. Natoli
Vice President
Regulatory Affairs & Public Policy

TBN:kmm

Attachment

cc: Thomas E. Williams, III

³ See letter dated May 30, 2002 to the Commission Re: Teligent Services, Inc., ("TSI") Plan of Reorganization to Emerge from Chapter 11 – TIME SENSITIVE CORRESPONDENCE describing the POR in detail

STATE OF Virginia)
COUNTY OF Fairfax)

AFFIDAVIT

I, Richard Hozik hereby certify that I am the sole shareholder, officer and employee of Teligent Acquisition Corporation ("TAC") which is the 100% parent holding company of TAC License Corp. TAC and TAC License Corp. were formed solely for the purpose of purchasing certain assets of Teligent, Inc. and various of its subsidiaries out of bankruptcy pursuant to a certain "Re-Emergence Plan" transaction initially described for the Commission in September 2001. I hereby certify that the transaction was never able to be consummated and consequently there is no longer any need for the TAC or TAC License Corp. legal entities to exist or be certified to provide telecommunications on a federal or state basis. Accordingly, I concur in any request by Teligent Services Inc. ("TSI") to withdraw any pending applications associated with the "Re-emergence Plan" involving TSI and TAC License Corp, and/or to cancel, vacate, or otherwise reverse any order granting to, transferring to, or consenting to the transfer to, TAC License Corp. a new or TSI's previously-issued certificate(s) to provide telecommunications services. TAC has no customers or operations at this time nor has it ever. The information contained herein is complete, true, and accurate to the best of my knowledge and belief. I further affirm that I have the responsibility and authority to make this certification on behalf of TAC and TAC License Corp.

City/County of Fairfax Commonwealth/State of VA
I hereby certify that the attached document is a true and exact copy of a Affidavit, presented before me this 29 day of May, 2002
[Signature]
Notary Public
My Commission Expires December 31, 2004

[Signature]
Signature
RICHARD HOZIK
Name
SOLE OFFICER
Title