

ORIGINAL

REQUEST TO ESTABLISH DOCKET
(Please Type)

Date August 16, 2002 Docket No. 020893-TP

1. Division Name/Staff Name: Division of Competitive Markets & Enforcement/Isler

2. OPR: Division of Competitive Markets & Enforcement/Isler

3. OCR: Office of the General Counsel

4. Suggested Docket Title: Bankruptcy Cancellation by Florida Public Service Commission of IXC Certificate No. 4768 issued to Telscape USA, Inc. and ALEC Certificate No. 6097 issued to PointeCom, Incorporated d/b/a Telscape Communications, Effective 08/01/02

5. Suggested Docket Mailing List (attach separate sheet if necessary)
A. Provide NAMES OR ACRONYMS ONLY if a regulated company.
B. Provide COMPLETE NAME AND ADDRESS for all others. (Match representatives to companies.)
1. Parties and their representatives (if any):

2. Interested persons and their representatives (if any):

6. Check one: Documentation is attached.
 Documentation will be provided with recommendation.

PSC\CCA010-C (Rev 10/01)

DOCUMENT NUMBER-DATE
08656 AUG 16 02
PSC-COMMISSION CLERK

Paula Isler

From: Neier, David [DNeier@winston.com]
Sent: Thursday, August 01, 2002 11:06 AM
To: pisler@psc.state.fl.us
Subject: Telscape etal

In response to your letter of 7/29, the bankruptcy cases are still pending but none of them are operating. We are trying to sell operating foreign non-debtor subs in Mexico, but as you can tell from the papers, there are a lot of telecomm assets for sale and not many buyers. PSC can go ahead and cancel the IXC and ALEC certificates. All companies ceased operating in Florida on or before June 1, 2001. Please call me if you have any further questions.
Regards, DN

David Neier
Winston & Strawn
200 Park Avenue
New York, New York 10166
(212) 294-5318
(212) 294-4700
<mailto:dneier@winston.com>

STATE OF FLORIDA

COMMISSIONERS:
LILA A. JABER, CHAIRMAN
J. TERRY DEASON
BRAULIO L. BAEZ
MICHAEL A. PALECKI
RUDOLPH "RUDY" BRADLEY



DIVISION OF COMPETITIVE MARKETS &
ENFORCEMENT
WALTER D'HAESELEER
DIRECTOR
(850) 413-6600

Public Service Commission

July 29, 2002

Mr. David Neier
Winston & Strawn
200 Park Avenue
New York, New York 10166

**RE: Telscape USA, Inc. (TI561)
PointeCom, Incorporated d/b/a Telscape Communications (TX293)**

Dear Mr. Neier:

Florida Public Service Commission records show that Telscape and PointeCom, which holds IXC Certificate No. 4768 and ALEC Certificate No. 6097, filed for Chapter 11 bankruptcy protection on April 27, 2001. It is my understanding that you were appointed the Chapter 11 Trustee on June 22, 2001 (No. 01-1563-JJF).

The Commission has had returned mail addressed to Telscape and the telephone numbers for the company (770-308-3311 and 770-319-2834) are no longer in service. Since you are listed as the bankruptcy trustee, could you please advise us on the status of the bankruptcy case? Do the companies still exist? Can the Florida Public Service Commission cancel the IXC and ALEC certificates? I would appreciate any information you can provide.

If you have any questions, just let me know. I can be reached at (850) 413-6502-voice, (850) 413-6503-fax, by internet e-mail at pisler@psc.state.fl.us, or at the address below.

Sincerely,

A handwritten signature in cursive script that reads "Paula J. Isler".

Paula J. Isler, Research Assistant
Bureau of Service Quality

TELSCAPE

communications

PointeCom
Dba Telscape Communications
606 E. Huntington Drive
Monrovia, California 91016

June 6, 2001

Walter D'Haeseleer
Director Competitive Services
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Re: Telscape USA, Inc.
PointeCom
Application for discontinuance of service in Florida

Dear Mr. D'Haeseleer:

On behalf of Telscape USA, Inc. (PointeCom), a request is being made to discontinue service in the state of Florida. The request is being filed to coincide with the FCC regulations and customer notice guidelines and thus become effective on thirty-one (31) day's notice to the FCC and end users and therefore bears and effective date of July 5, 2001.

The reason for leaving the Florida market is complex. Telscape is currently in Chapter 11 bankruptcy and operating day to day. With this in mind, we are doing everything possible to assure our customers of their essential lifeline services, stay within regulatory guidelines and maintain a fiscally prudent operation. Unfortunately, with all the foregoing in concert, the decision to shut down services in Florida is a necessary one.


Telscape would respectfully ask that the commission cancel the CLEC certificate as a bankruptcy request and waive the assessment fee due to Telscape's inability to pay. Telscape also understands that the IXC certificate is currently in the process of cancellation due to non-payment of a settlement payment and would respectfully ask that the commission would note that Telscape is not capable of making the necessary payment.

The Telscape CLEC operation currently serves residence, single line customers comprising about 98% of the 12,900 customers effected with small businesses with less than 5 lines making up the additional 2%. All effected CLEC customers reside in the greater Miami area. All effected CLEC customers were mailed a copy of the attached letter on May 30, 2001. As stated in the letter to Telscape customers, "We will process their request and close your Telscape account. If applicable, Telscape will credit your account on the final bill to cover any prepaid monthly recurring charges. Your initial deposit, if any, will also be applied to your final bill and any credits will be refunded by check."

As required by the Florida Public Service Commission rules, a copy of the letter sent to effected customers along with proof of mailing is being attached with this application.

Any questions concerning this filing should be directed to the undersigned.

Sincerely,


Jeff Compton
Director Carrier Relations
CLEC Division
Telscape Communications
626 415-1016 office
626 252-3490 mobile

APP _____
CAF _____
CMP _____
COM _____
CFS _____
CGR _____
CIS _____
CPC _____
CRA _____
CRD _____
CRG _____
CRS _____
CRS _____
CRS _____

Hand
& Nonnye

606 East Huntington Drive • Monrovia, California 91016

DOCUMENT NUMBER-DATE

07971 JUN 27 5

FCC RECORDS/REPORTING

ORIGINAL

RECEIVED
FLORIDA PUBLIC
SERVICE COMMISSION

01 JUN 27 AM 9:18

MAIL ROOM

001361-TI

Vertical stamp: COMMUNICATIONS SERVICES

TELSCAPE

communications

PointeCom
Dba Telscape Communications
606 E. Huntington Drive
Monrovia, California 91016

June 26, 2001

John Minkoff
Common Carrier Bureau
445 12th Street, S.W.
Washington, D.C. 20554

Attention: Common Carrier Bureau- Section 63.71 Application

Re: Telscape USA, Inc.
PointeCom
Errata filing
Application for discontinuance of service in Florida

Dear Mr. Minkoff:


This errata filing is to supplement information for the application filed on June 4, 2001. Please use the original filing date as Telscape is in bankruptcy and disconnection of the existing services by the ILEC are eminent.

On behalf of Telscape USA, Inc. (PointeCom), a request is being made to discontinue service in the state of Florida. The request is being filed to become effective on thirty-one (31) day's notice and therefore bears and effective date of July 5, 2001.

Residence, single line customers comprise about 98% of the 12,900 customers effected with small businesses with less than 5 lines make up the additional 2%. All effected customers reside in the greater Miami area. All effected customers were mailed a copy of the attached letter on May 30, 2001.

As required by the Commission's rules, a copy of the letter sent to effected customers is being attached with this application. A copy of this application is also being forwarded to the State of Florida Public Service Committee. Letters have also been sent to the Secretary of Defense and the Governor of Florida.

Any questions concerning this filing should be directed to the undersigned.

Sincerely,

Jeff Compton
Director Carrier Relations
CLEC Division
Telscape Communications
626 415-1016 office
626 252-3490 mobile

RECEIVED
COMMUNICATIONS DIVISION
JUL 10 2001

You must select a local telephone service provider NOW!

May 29, 2001

Rigoberto Franco
982 Northwest 10 St
Miami, Florida 33136

Dear Rigoberto Franco,

We recently attempted to notify you that as of July 5, 2001, Telscape Communications would no longer be providing telephone service in the state of Florida. In order to prevent any major interruption of your telephone service, you must act now.

Since we filed Chapter 11, we have been able to reach reasonable negotiations with all independent local exchange carriers with whom we partner. However, this is not the case with Bell South in Florida. This leaves us with no recourse other than to stop doing business in the state of Florida. For this reason, we regret to inform you that Telscape Communications will no longer be providing telephone service in Florida. You need to choose a new company to provide your local phone service and possible your long distance service.

The FCC will normally authorized this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier. If you wish to object, you should file your comments within 15 days after receipt of this notification. Address them to the Federal Communications Commission, Washington, DC 20554, referencing the section 63.71 Application of Telscape Communications. Comments should include specific information about the impact of this proposed discontinuance upon you and your company, including any inability to acquire reasonable and substitute service.

You have the option of selecting any local and long distance carrier you want.

To switch your telephone service to another company please:

1. Select a local and long distance telephone company
2. Contact the local company immediately and switch your local and long distance service from Telscape Communications.
3. You may also need to contact the long distance company and select a calling plan that fits your needs.

The order to switch your service will be sent to us. We will process their request and close your Telscape account. If applicable, Telscape will credit your account on the final bill to cover any prepaid monthly recurring charges. Your initial deposit, if any, will also be applied to your final bill and any credits will be refunded by check.

We appreciate your past business and apologize for any inconvenience this change may cause you.

**IF YOU HAVE ALREADY CALLED TO ARRANGE FOR NEW LOCAL PHONE SERVICE,
PLEASE DISREGARD THIS LETTER.**

Sincerely,

Telscape Communications

MCD Company Information for TI561

Printed on 07/26/2002 at 15:52:02 by PJL

Company Code: TI561
Complete Name: Telscape USA, Inc.
Mailing Name: Telscape USA, Inc.
Certificate No(s): 4768
Status: Active
Regulation Date: 02/18/1997
Bankruptcy: Yes
Company Liaison #1: Teresa Hester
Title: Director - Regulatory Affairs
Mailing Address: 1325 Northmeadow Parkway, Suite 110

Physical Location: Roswell, GA 30076-3896
1325 Northmeadow Parkway, Suite 110

Phone: Roswell, GA 30076-3896
(770) 308-3311
Fax: (770) 319-2834

Related Dockets:

- 961083-TI Application for certificate to provide interexchange telecommunications service by Telscape USA, Inc.
- 980306-TI Request for approval of transfer of control of MSN Communications, Inc. (holder of IXC Certificate No. 4811) to Telscape International, Inc., parent company of Telscape USA, Inc. (holder of IXC Certificate No. 4768).
- 000542-TP Request for pro forma transfer of control whereby Pointe Communications Corporation and its wholly-owned subsidiaries PointeCom, Incorporated (holder of ALEC Certificate No. 6097 and IXC Certificate No. 7219) and Overlook Communications International Corporation (holder of IXC Certificate No. 4088) will be merged into a newly-formed subsidiary of Telscape International, Inc. and its wholly-owned subsidiary Telscape USA, Inc. (holder of IXC Certificate No. 4768).
- 001264-TI Cancellation by Florida Public Service Commission of IXC Certificate No. 4768 issued to Telscape USA, Inc. for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.
- 010439-TP Request for approval of name change on IXC Certificate No. 7219 and ALEC Certificate No. 6097 from PointeCom, Incorporated, to PointeCom, Incorporated d/b/a Telscape Communications.

*7/26 - 4pm
770-308-3311 - # no longer in svc
770-319-2834 - # discontinued*

MCD Company Information for TX293

Printed on 07/26/2002 at 15:52:02 by PJI

Company Code: TX293
Complete Name: PointeCom, Incorporated d/b/a Telscape Communications
Mailing Name: Telscape Communications
Certificate No(s): 6097
Status: Active
Regulation Date: 05/24/1999
Bankruptcy: Yes
Company Liaison #1: Teresa Hester
Title: Director - Regulatory Affairs
Mailing Address: 1325 Northmeadow Parkway, Suite 110

Physical Location: Roswell, GA 30076-3896
1325 Northmeadow Parkway, Suite 110

Phone: Roswell, GA 30076-3896
(770) 308-3311
Fax: (770) 319-2834

Related Dockets:

990215-TX Application for certificate to provide alternative local exchange telecommunications service by PointeCom, Incorporated.

991282-TP Notice by BellSouth Telecommunications, Inc. of adoption of an approved interconnection, unbundling, resale, and collocation agreement between BellSouth and NewSouth Communications, Inc. by PointeCom, Incorporated.

000542-TP Request for pro forma transfer of control whereby Pointe Communications Corporation and its wholly-owned subsidiaries PointeCom, Incorporated (holder of ALEC Certificate No. 6097 and IXC Certificate No. 7219) and Overlook Communications International Corporation (holder of IXC Certificate No. 4088) will be merged into a newly-formed subsidiary of Telscape International, Inc. and its wholly-owned subsidiary Telscape USA, Inc. (holder of IXC Certificate No. 4768).

001470-TX Cancellation by Florida Public Service Commission of ALEC Certificate No. 6097 issued to PointeCom, Incorporated for violation of Rule 25-4.0161, F.A.C., Regulatory Assessment Fees; Telecommunications Companies.

010439-TP Request for approval of name change on IXC Certificate No. 7219 and ALEC Certificate No. 6097 from PointeCom, Incorporated, to PointeCom, Incorporated d/b/a Telscape Communications.

011508-TX Compliance investigation of PointeCom, Incorporated d/b/a Telscape Communications for apparent violation of Section 364.183(1), F.S., Access to Company Records.

Paula Isler

From: Jeff Compton [jcompton@telscape.net]
Sent: Tuesday, July 02, 2002 12:49 PM
To: pisler@psc.state.fl.us
Subject: Certificates and Licenses in Florida

Paula,

I am writing to follow up on our phone conversation this morning regarding certificates and licenses in Florida held by Telscape International, Telscape USA and/or PointeCom. It is my understanding that any and all licenses in Florida, are either property of the Estate of Telscape International, or the Estate of Telscape USA. For direction of the cancellation or re-affiliation to another entity, you need to work with David Neier, the Trustee of the Estate.

I worked for the old Telscape International until last year, but now I am part of the new Telscape Communications, Inc., doing business in California, with no affiliation to any organization or licenses in Florida.

David's contact information is:

David Neier
Winston & Strawn
200 Park Avenue
New York, New York
212 294-5318
dneier@winston.com

If you have any additional questions or comments, please call or write.

Jeff Compton
Director Carrier Relations
626 415-1016 office
626 252-3490 cell
626 415-0104 fax

Telscape Communications, Inc.
606 E. Huntington Drive
Monrovia, California 91016

State of Florida



Public Service Commission
-M-E-M-O-R-A-N-D-U-M-

DATE: June 7, 2002
TO: Paula Isler, Division of Competitive Services
FROM: Sandy Moses, Division of the Commission Clerk and Administrative Services *sm*
RE: Returned Mail - Telscape USA, Inc. (Company Code TI561)

Mail addressed to the organization at the address shown below has been returned to the Commission by the U.S. Postal Service for the reason indicated on the attached copy of the envelope. Staff in the Hearing Services Section has confirmed that the address matches that in the Master Commission Directory. Attempts to contact the company by telephone and e-mail have been unsuccessful.

Telscape USA, Inc.
1325 Northmeadow Parkway, Suite 110
Roswell, GA 30076-3896

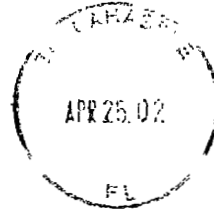
If you are successful in contacting the company, please furnish a current mailing and location address as well as any other updated MCD information you obtain.

SM/lkf
Attachment

COMPETITIVE SERVICES
DIVISION OF

2002 JUN 10 PM 2:29

Florida Public Service Commission
Bureau of Records and Hearing Services
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850



*PointeCom, Incorporated.
dba Telscape Communications*

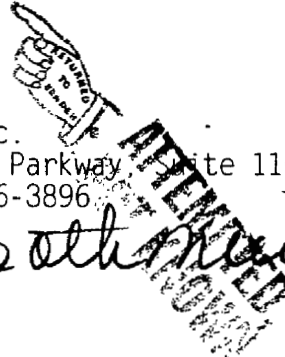
RECEIVED-FPSC

02 MAY -8 AM 10:10

COMMISSION
CLERK

TI 561

Telscape USA, Inc.
1325 Northmeadow Parkway, Suite 110
Roswell GA 30076-3896



Both numbers non-working

Theresa Hester Dir. Reg. Affairs

(770) 308-3311

thester@telscape.net - e-mail-undeliverable

Mark Harris, Gen Counsel

(770) 432-6590

mharris@telscape.net - undeliverable

32399/0850



ORIGINAL

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

020000-PU

IN RE: : Chapter 11
: Case Nos. 01-1563 (JJF)
TELSCAPE INTERNATIONAL, INC., et al., : (Jointly Administered)
: :
Debtors. :
: SUGGESTION OF BANKRUPTCY

PLEASE TAKE NOTICE THAT on April 27, 2001, (the "Petition Date"), Telscape International, Inc., and its related debtors, Pointecom, Inc., International Interlink Communications, Inc., Telscape International, Inc., Telscape U.S.A., Inc., Pointe Communications Corp., Overlook Communications International, Inc., Pointe Local Exchange Company, Rent-A-Line Telephone Company, LLC (collectively, the "Debtors") filed for protection under Chapter 11 of the United States Bankruptcy Code in the United States Bankruptcy Court for the District of Delaware (the "Bankruptcy Court") and the Debtors' bankruptcy cases have been administratively consolidated under Case No. 01-1563 (JJF).

PLEASE TAKE FURTHER NOTICE THAT on June 22, 2001, David Neier was appointed the Chapter 11 Trustee.

PLEASE TAKE FURTHER NOTICE THAT, pursuant to Section 362 of the United States Bankruptcy Code, after the Petition Date, no cause of action may be commenced or prosecuted, and no judgment may be taken against any of the Debtors outside of the Bankruptcy Court without the Bankruptcy Court's first issuing an order modifying the automatic stay imposed by Section 362 of the Bankruptcy Code. Accordingly, no further prosecution of the above-captioned proceeding may occur, and no valid judgment may be entered against the Debtor.

PLEASE TAKE FURTHER NOTICE THAT information concerning the Debtors' bankruptcy cases can be obtained from the Bankruptcy Court's official website, www.deb.uscourts.gov, or by e-mail to neierd@gtlaw.com.

Dated: Wilmington, Delaware
March 11, 2002

GREENBERG TRAUIG, LLP
Howard J. Berman
The MetLife Building
200 Park Avenue
New York, NY 10166
(212) 801-9200
Counsel for David Neier, the Chapter 11 Trustee

GREENBERG TRAUIG, LLP
Scott D. Cousins (No. 3079)
Victoria Watson Counihan (No. 3488)
The Brandywine Building
1000 West Street, Suite 1540
Wilmington, Delaware 19801
(302) 661-7000

AUS _____
CAF _____
CMP _____
COM _____
CTR _____
ECR _____
GCL _____
OPC _____
MMS _____
SEC _____
OTH H
Nonnye
1007-srv011773951v01

DOCUMENT NUMBER - DATE
02978 MAR 14 08
FPSC-COMMISSION CLERK