

REQUEST TO ESTABLISH DOCKET

(Please Type)

Date:	9/22/2005	Docket No.:	050632-TP
--------------	-----------	--------------------	-----------

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

2. OPR:	Division Of Competitive Markets & Enforcement
----------------	-----------------------------------------------

3. OCR:	Office Of The General Counsel
----------------	-------------------------------

4. Suggested Docket Title:	Bankruptcy cancellation by Florida Public Service Commission of IXC Registration No. TJ480 and CLEC Certificate No. 7742, issued to Comm South Companies, Inc. d/b/a Florida Comm South, Effective 10/10/05.
-----------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

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.

DOCUMENT NUMBER-DATE
09000 SEP 22 '05
G:\est.doc
FPSC-COMMISSION CLERK



RECEIVED-FPSC

8035 E. R.L. Thornton
Suite 410
Dallas, Texas 75228
SEP 19 PM 3:27
COMMISSION
CLERK

ORIGINAL

September 16, 2005

Blanca S. Bayo
Director
Division of the Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

050000

05 SEP 19 PM 1:19
POSTAL/MAIL CENTER

Re: Comm South Companies, Inc. (d/b/a Florida Comm South)
Request to Cancel Certificate
Certificate No. 4757

Dear Ms. Bavo,

Comm South Companies, Inc. (d/b/a Florida Comm South) ("Comm South") is a competitive local exchange telecommunications carrier providing pre-paid resold residential and long distance service in the State of Florida (the "State"), pursuant to Certificate No. 4757, Company #'s: TX531 and TJ480. Comm South also provides service to a pay telephone provider in the state. Comm South is in Chapter 7 bankruptcy protection and is in the process of liquidating its business and its assets, including discontinuing telecommunications service. A copy of the Chapter 7 bankruptcy order is attached for your records.

In compliance with the rules and policies of the Federal Communications Commission and the Florida Public Service Commission (the "Commission"), Comm South sent on September 10, 2005 the attached letter to its residential customers, notifying them that it will be discontinuing residential

CMP _____ service in thirty days, effective October 10, 2005.

COM _____ Please note that, while Comm South is discontinuing its (1) resold local residential service and (2)
CTR _____ resold toll service, Comm South must retain its certificated authority to provide pay telephone
ECR _____ service in the State for a short period of time after discontinuance of these residential services in
GCL _____ order to allow its pay telephone customer to transition to another carrier. Accordingly, Comm
OPC _____ South requests that, to the extent the Florida Public Service Commission must take any affirmative
RCA _____ action on Comm South's certificated authority, it only take actions on those portions of Comm
SCR _____ South's certificated authority that relate to (1) resold local residential service and (2) resold toll
SGA _____ service, and that any such action not become effective until October 10, 2005. Comm South will
_____ surrender its certificate(s) to the Commission soon after its payphone service providing customer
_____ has transitioned to another provider. A copy of Comm South's discontinuance notice to the Federal
_____ Communications Commission is also enclosed for your records.

SEC 1
OTH _____

DOCUMENT NUMBER-DATE

08841 SEP 19 05

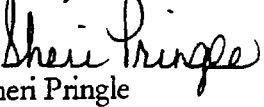
FPSC-COMMISSION CLERK

Due to the nature of the prepaid services provided, a customer is free to discontinue Comm South local and long distance service at any time by not pre-paying Comm South. Comm South does not collect deposits and there will be no customer credits since service is pre-paid.

Comm South is of aware of any outstanding amounts owed for regulatory assessments. Moreover, given the Chapter 7 liquidation of the company, the termination of nearly all employees, and the unavailability of funds, there is no way for the Trustee or the estate to determine whether any assessments might be owed.

If you have any questions about the foregoing, don't hesitate to communicate with the undersigned.

Thank you.


Sheri Pringle
Director, Regulatory Affairs
Comm South Companies, Inc.
214-355-7005
springle_csc@hotmail.com

Enclosures



NORTHERN DISTRICT OF TEXAS

ENTERED

TAWANA C. MARSHALL, CLERK
THE DATE OF ENTRY IS
ON THE COURT'S DOCKET

The following constitutes the order of the Court.

Signed September 7, 2005

Harlin DeWayne Hale
United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

In re: §
§
COMM SOUTH COMPANIES, INC. ET AL § CASE NO. 03-39496-HDH-11
§ (Jointly Administered)
Debtor. §

**ORDER CONVERTING CASES TO CHAPTER 7 AND APPOINTING
MARLA C. REYNOLDS AS OPERATING TRUSTEE UNDER 11 U.S.C. § 721**

On this day came on for hearing the Motion to Convert Cases to Chapter 7 Liquidation pursuant to 11 U.S.C. § 1129(b), and to Appoint the Trustee as an Operating Chapter 7 Trustee pursuant to 11 U.S.C. § 721 (the "Motion") [Docket No. 648], filed by Marla C. Reynolds (the "Trustee"), the duly-appointed Chapter 11 Trustee in the above styled jointly administered bankruptcy cases, and the Court having reviewed the Motion and being advised that the



8035 E. R.L. Thornton
Suite 410
Dallas, Texas 75228

September 10, 2005

Dear Florida Comm South Customer:

RE: **NOTICE OF DISCONTINUANCE OF PRE-PAID LOCAL AND LONG DISTANCE TELEPHONE SERVICE**

It has been our pleasure at Comm South (d/b/a Florida Comm South) to provide you with quality, pre-paid local and long distance services. We regret to inform you that as of October 10, 2005, Comm South Companies, Inc. (d/b/a Florida Comm South)¹ ("Comm South") will no longer provide pre-paid local and long distance telephone service.

Your action is required! You must select a new local and/or long distance telephone provider to provide you with the same services you are currently receiving from Comm South as quickly as possible but no later than October 10, 2005. Please see the enclosed letter from dPi Teleconnect, LLC, one potential provider of pre-paid local and long distance services. You can also find a list of local and long distance telephone service providers in your local telephone directory.

As a pre-paid customer of Comm South, you are free to discontinue Comm South service at any time by simply not pre-paying Comm South for telephone service and choosing another provider. Pre-paid customers do not maintain deposits with Comm South.

After selecting a new local telephone provider, you should also contact your current long distance provider to ensure that your current long distance calling plan is not changed as a result of your change in your local service. If you do not contact your long distance provider, you may be charged basic rates (non-calling plan rates) for long distance calls. Of course, if you are receiving long distance services from Comm South, you must select a new long distance provider.

The Federal Communications Commission will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or

¹ Comm South also does business under the following names: Alabama Comm South Corp., Arkansas Comm South, Inc., Florida Comm South, Altair Communications, Inc., Mississippi Comm South, Missouri Comm South, Inc., E-Z Tel. Inc., Comm South in Tennessee, and Comm South Companies VA, Inc. Comm South converted its Chapter 11 bankruptcy to a Chapter 7 bankruptcy and will liquidate and exit the telecommunications business after receipt of all necessary court and regulatory approvals.

a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. 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 Comm South, Inc. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

Again, it has been our pleasure to serve you. If you require assistance or have questions about termination of your service, please contact Comm South using the contact information found below.

Sincerely,

Comm South Companies, Inc.
8035 E. RL Thornton, Suite 410
Dallas, TX 75228
1-800-936-5223

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of
Section 63.71 Application of
Comm South Companies, Inc.
For Authority to Discontinue Certain
Residential Services

WC Docket No. _____

To: The Wireline Competition Bureau

SECTION 63.71 APPLICATION

Comm South Companies, Inc. ("Comm South"), hereby files this Application to discontinue services pursuant to Section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, and Section 214 of the Communications Act of 1934, as amended, in selected areas defined herein. Specifically, Comm South is seeking to discontinue the provision of certain local and domestic and international long distance service to customers in a number of locations across the United States on October 10, 2005 and all telecommunications services on January 1, 2006. In support of this Application, Comm South submits the following:

I. DESCRIPTION OF DISCONTINUANCE.

1. Name and address of carrier.

Comm South Companies, Inc. ("Comm South")
8035 E. R.L. Thornton
Suite 410
Dallas, TX 75228

Comm South also does business under the following names: Alabama Comm South Corp., Arkansas Comm South, Inc., Florida Comm South, Altair Communications, Inc.,

Mississippi Comm South, Missouri Comm South, Inc., E-Z Tel. Inc., Comm South in Tennessee, and Comm South Companies VA, Inc.

2. Date of planned service discontinuance.

The anticipated date for the discontinuance of certain residential pre-paid local and domestic and international long distance services in selected states is October 10, 2005, or as soon thereafter as the necessary state and federal authorizations have been obtained. Comm South is scheduled to discontinue all telecommunications services on January 1, 2006.

3. Points of geographic areas of service affected

By this application, Comm South seeks authority to discontinue the provision of residential pre-paid local and domestic and international long distance services to residential customers located in States of Alabama, Arizona, Arkansas, California, Colorado, the District of Columbia, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, Montana Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, , North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Puerto Rico, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming (the "Discontinuance States"). Comm South seeks authority to discontinue the provision of business local and long distance services to customers in the Discontinuance States effective January 1, 2006.

4. Brief description of the type of service affected

Comm south proposes to discontinue the provision of residential pre-paid local and domestic and international long distance service effective October 10, 2005. Comm South proposes to discontinue all telecommunications services effective January 1, 2006.

5. Brief description of the dates and methods of notice to all affected customers

Written notice to all affected residential customers substantially in the form of the sample letter attached as Exhibit A was mailed to customers in the Discontinuance States on September 10, 2005. The customer notice letters were prepared in accordance with the requirements of Section 63.72(a) of the Commission's rules.

6. Non-dominance of carrier with respect to the service to be discontinued

Comm South is a non-dominant with respect to the services that it proposes to discontinue.

7. Service

In accordance with Section 63.71(a) of the Commission's rules, Comm South has mailed a copy of this Application to the Governor and public utility commission of each of the Discontinuance States listed above in Paragraph 3, and to the Special Assistant for Telecommunications for the Secretary of Defense.

8. Additional questions regarding this application may be addressed to:

Jennifer L. Richter, Esq.
Paul R. Besozzi, Esq.
Patton Boggs, LLP
2550 M Street, NW
Washington, DC 20037-1350
202-457-6000 (Telephone)
202-457-6315 (Facsimile)
jrichter@pattonboggs.com
pbsozzi@pattonboggs.com

II. CIRCUMSTANCES OF DISCONTINUANCE

Comm South is in Chapter 7 bankruptcy protection and is in the process of liquidating its business and its assets, including discontinuing telecommunications service. The residential services

to be discontinued are competitive in nature and customers have received sufficient notice in order to allow them to make arrangements for replacement services. Comm South will continue to provide business services until December 31, 2005 in order to allow its pay phone customer to transition to another carrier. The proposed discontinuance has been approved by the U.S. Bankruptcy Court for the _____.

III. CONCLUSION

Comm South believes that the proposed discontinuance is reasonable and necessary. Comm South will take all reasonable steps, to the extent it is able, to ensure that the discontinuance of service is not unduly disruptive to the present or future public convenience and necessity. For the foregoing reasons, Comm South respectfully requests, pursuant to Section 214a) of the Communications Act of 1934, as amended, 47 U.S.C. § 214(a) and Section 63.71 of the Commission's rules, that the Commission permit it to discontinue the provision of services to certain customers pursuant to Section 63.71

Respectfully submitted,

By:

Jennifer L. Richter
Paul R. Besozzi
Patton Boggs, LLP
2550 M Street, NW
Washington, DC 20037-1350
202-457-6000 (Telephone)
202-457-6315 (Facsimile)
jrichter@pattonboggs.com
pbsozzi@pattonboggs.com

Exhibit A

Sample Customer Notice

Date

[Customer Name]
[Customer Address]

RE: NOTICE OF DISCONTINUANCE OF PRE-PAID LOCAL AND LONG DISTANCE TELEPHONE SERVICE

Dear Customer:

It has been our pleasure at Comm South to provide you with quality, pre-paid local and long distance services. We regret to inform you that as of [[DATE] – under federal law this date needs to be at least 30 days from the date of this notice; states may require longer notice periods i.e., 60 or 90 days], Comm South Companies, Inc.¹ (“Comm South”) will no longer provide pre-paid local and long distance telephone service.

Your action is required! You must select a new local and/or long distance telephone provider to provide you with the same services you are currently receiving from Comm South as quickly as possible but no later than [[DATE] same as above]. Please see the enclosed letter from dPi Teleconnect, LLC, one potential provider of pre-paid local and long distance services. You can also find a list of local and long distance telephone service providers in your local telephone directory.

As a pre-paid customer of Comm South, you are free to discontinue Comm South service **at any time** by simply not pre-paying Comm South for telephone service and choosing another provider. Your pre-paid phone service with Comm South will terminate in accordance with state law as soon as either you choose not to pre-pay for services or Comm South completes the required regulatory process for abandonment / discontinuation of services, whichever occurs first. Pre-paid customers do not maintain deposits with Comm South.

After selecting a new local telephone provider, you should also contact your current long distance provider to ensure that your current long distance calling plan is not changed as a result of your change in your local service. If you do not contact your long distance provider, you may be charged basic rates (non-calling plan rates) for long distance calls. Of course, if you are receiving long distance services from Comm South, you must select a new long distance provider.

The Federal Communications Commission will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is

¹ Comm South also does business under the following names: Alabama Comm South Corp., Arkansas Comm South, Inc., Florida Comm South, Altair Communications, Inc., Mississippi Comm South, Missouri Comm South, Inc., E-Z Tel. Inc., Comm South in Tennessee, and Comm South Companies VA, Inc. Comm South has been in Chapter 11 bankruptcy protection for two years, and will liquidate and exit the telecommunications business after receipt of all necessary court and regulatory approvals.

Draft – Does Not Take Various State Notice Requirements Into Consideration

otherwise adversely affected. 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 Comm South, Inc. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

Again, it has been our pleasure to serve you. If you require assistance or have questions about termination of your service, please contact Comm South using the contact information found below.

Sincerely,

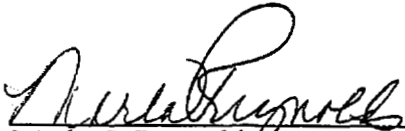
Comm South Companies, Inc.
8035 E. RL Thornton, Suite 410
Dallas, TX 75228
1-800-936-5223

VERIFICATION

I, Marla C. Reynolds, declare that I am Chapter 7 Trustee of Comm South Companies, Inc. I am authorized to make this Verification on behalf of Comm South Companies, Inc. and that the foregoing was prepared under my direction and supervision. The statements in the foregoing document are true and correct to the best of my knowledge, information, and belief.

I declare under penalty of perjury that the foregoing is true and correct.

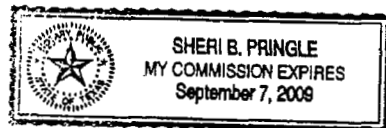
Executed on September 12th, 2005, at Dallas, Texas.

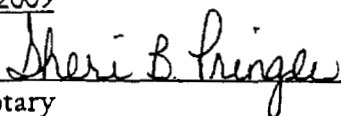


Marla C. Reynolds
Chapter 7 Trustee for
Comm South Companies, Inc.

The foregoing instrument was acknowledged before me this 12th day of September, 2005, by Marla C. Reynolds.

Witness my hand and official seal.
My Commission expires: September 7, 2009





Notary