

State of Florida



ORIGINAL

Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

RECEIVED-FPSC

NOV 9 11:03

-M-E-M-O-R-A-N-D-U-M- COMMISSION CLERK

DATE: November 8, 2005

TO: Blanca S. Bayó, Commission Clerk and Administrative Services Director

FROM: Toni J. McCoy, Regulatory Analyst II, Division of Competitive Markets & Enforcement *JM*

RE: Docket No. 050648 TI and 050647-TX; Comtel Telecom Assets LP

Please add the attached Email correspondence to the above docket files.

It is related to how customer complaints will be managed Pre and Post Customer Base transfer from VarTec Telecom, Inc. d/b/a VarTec Telecom, Inc. and Clear Choice Communications, Excel Telecommunications, Inc. and VarTec Solutions, Inc., respectively, to Comtel Telecom Assets LP.

Please call if you have any questions. I can be reached at 413-6532.

Thank you.

- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- RCA _____
- SCR _____
- SGA _____
- SEC 1 _____
- OTH _____

DOCUMENT NUMBER-DATE

10802 NOV-9 03

FPSC-COMMISSION CLERK

Toni McCoy

From: Becky Gipson [BGIPSON@vartec.net]
Sent: Monday, November 07, 2005 5:00 PM
To: Toni McCoy
Subject: RE: Comtel Telecom Assets LP Questions (050648-TI and 050647-TX)

Toni - I believe that I still owe you two pieces of information: 1) the fictitious name authorizations and 2) an explanation on complaints.

1) The fictitious name filings are in progress, and I believe that we will be able to provide you with proof of registration by Friday. I will follow-up with you on this no later than Friday to be certain that this item is set.

2) Once the transaction is consummated, it is anticipated that the PSC may initially contact Comtel's Regulatory Department for assistance with complaint matters involving customers from VarTec Telecom, Inc., including Clear Choice Communications, Excel Telecommunications, Inc. or VarTec Solutions, Inc. Based on the circumstances of each complaint matter, Comtel and the VarTec Companies will determine responsibility between the two parties, while ensuring a timely resolution for the customer. As with the overall transaction, the process will be seamless to the customer. The toll-free customer service telephone numbers used by customers are expected to remain unchanged post-consummation.

I appreciate your assistance. Please let me know if you have any additional questions.

Becky

-----Original Message-----

From: Becky Gipson
Sent: Wednesday, November 02, 2005 4:50 PM
To: 'Toni McCoy'
Subject: RE: Comtel Telecom Assets LP Questions (050648-TI and 050647-TX)

Toni - I just wanted to let you know that I did receive your e-mail and that I am working on these items. I expect to have the fictitious name approval before the 14th for your review. In addition, VarTec's RAF payment of \$1,349.45 (check no. 735587) was issued today and will arrive at the PSC tomorrow (11/3/05). Before your e-mail, I was not aware of this outstanding amount, so I appreciate your bringing to my attention. I will respond on the customer complaints issue in short order after I discuss with Comtel. Please let me know if you have other questions. I appreciate your assistance with this filing. -- Becky

-----Original Message-----

From: Toni McCoy [mailto:TMcCoy@PSC.STATE.FL.US]
Sent: Wednesday, November 02, 2005 8:54 AM
To: Becky Gipson
Subject: Comtel Telecom Assets LP Questions (050648-TI and 050647-TX)
Importance: High

Hi Becky,

I am checking on the status of the fictitious name filings. I have printed Comtel Telecom Assets LP's corporate registration, but couldn't locate the associated d/b/a's the company is planning to use. Are they still pending?

I also noticed that VarTec Telecom, Inc. d/b/a VarTec Telecom and Clear Choice Communications still has post-petition bankruptcy debt that will need to be collected for 2005. They computed their RAF using the old RAF rate of .0015 instead of .0020. They owe \$1,349.45, which should be

paid prior to the Commission going forward with the docket.

The other IXCs will owe the 2005 RAF (and possibly the 2006 RAF), that can't be paid until after the transfer and this will be addressed in my recommendation. VarTec Telecom, Inc. d/b/a VarTec Telecom and Clear Choice Communications Company Code is TI070 and when payment is submitted, it should be on the check.

I also need an explanation of how customer complaints will be managed post-transaction if those customer complaints were made to the Commission/Company pre-transaction or occurred pre-transaction, but not reported until post-transaction.

I will need the above completed by 11/14/05 for my recommendation to be filed by 11/17/05, and heard at the 11/29/05 Agenda Conference Hearing.

Toni Joy McCoy
Regulatory Analyst
Florida Public Service Commission
Bureau of Market Development
TMCCOY@PSC.STATE.FL.US
850/413-6532 Direct Line
850/413-6533 Fax Line

-----Original Message-----

From: Becky Gipson [mailto:BGIPSON@vartec.net]
Sent: Wednesday, October 12, 2005 12:12 PM
To: Ray Kennedy
Cc: Toni McCoy
Subject: RE: Florida Secretary of State Approval

Ray -- The PDF only included the authority to transact business. I do not yet have the trade name authorizations. I will advise Toni as soon as I do.

Thanks! -- Becky

-----Original Message-----

From: Ray Kennedy [mailto:RKennedy@PSC.STATE.FL.US]
Sent: Wednesday, October 12, 2005 11:08 AM
To: Becky Gipson
Cc: Toni McCoy
Subject: RE: Florida Secretary of State Approval

Becky,

I did not look at the PDF before responding to you. The fictitious names need to be registered too. Maybe you have already taken care of that. I will let Toni coordinate with you so that I don't drop the ball on anything.

Ray

-----Original Message-----

From: Becky Gipson [mailto:BGIPSON@vartec.net]
Sent: Wednesday, October 12, 2005 11:52 AM
To: Ray Kennedy
Subject: Florida Secretary of State Approval

Ray - I just obtained the approval from the Florida Secretary of State. This was missing in the original Comtel/VarTec filings. Should I send this through the Clerk's office for inclusion in the Comtel/VarTec Docket? I appreciate your guidance. -- Becky Gipson <<Florida.pdf>>