

Date of Florida



# Public Service Commission

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**-M-E-M-O-R-A-N-D-U-M-**

COMMISSION  
CLERK

**DATE:** July 12, 2006

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

**FROM:** Division of Competitive Markets & Enforcement (McCoy) *U.S.M. [Signature]*  
Office of the General Counsel (McKay) *[Signature]*

**RE:** Docket No. 050648-TI; Acknowledgment of registrations as intrastate interexchange telecommunications companies by Comtel Telcom Assets LP d/b/a VarTec Telecom and Clear Choice Communications, Comtel Telcom Assets LP d/b/a Excel Telecommunications, and Comtel Telcom Assets LP d/b/a VarTec Solutions; acknowledgment of cancellation of IXC Registration Nos. TI922, TI070, and TI291 by Excel Telecommunications, Inc., VarTec Telecom, Inc. d/b/a VarTec Telecom and Clear Choice Communications, and VarTec Solutions, Inc., respectively; and request for waiver of carrier selection requirements of Rule 25-4.118, F.A.C.; effective upon written notification from Comtel Telcom Asset LP that transfer of assets is complete.

On June 26, 2006, this Commission received contact information from Comtel Telcom Assets LP (Comtel) that transfer of assets between the VarTec Companies and Comtel was consummated on June 7, 2006. Staff has determined that the documents received meet the requirements of Section 364.02(13), Florida Statutes.

Acknowledgment of registrations as intrastate interexchange telecommunications companies by Comtel Telcom Assets LP d/b/a VarTec Telecom and Clear Choice Communications, Comtel Telcom Assets LP d/b/a Excel Telecommunications, and Comtel Telcom Assets LP d/b/a VarTec Solutions is effective June 7, 2006.

The Vartec Companies have paid their 2006 regulatory assessment fees as required in Section 364.336, Florida Statutes. Acknowledgment of the cancellations of IXC Registration Nos. TI922, TI070, and TI291 by Excel Telecommunications, Inc., VarTec Telecom, Inc. d/b/a VarTec Telecom and Clear Choice Communications, and VarTec Solutions, Inc. is effective June 7, 2006. The IXC Registration Nos. TI922, TI070, and TI291 can be removed from the IXC Registration list. Accordingly, with this Memorandum, Docket No. 050648-TI should be closed.)

*OK to close 7/18/06 RWS*

c: Comtel Telcom Assets LP  
CCA (3)

DOCUMENT NUMBER - DATE

06301 JUL 18 06

FPSC-COMMISSION CLERK

June 14, 2006

**VIA EXPRESS DELIVERY**

**Florida Public Service Commission**

Division of the Commission Clerk and Administrative Services  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

Re: Voluntary Certification Withdrawal by VarTec Telecom, Inc., Excel Telecommunications, Inc. and VarTec Solutions, Inc. and Notice of Asset Sale Closing

Dear Sir or Madam:

VarTec Telecom, Inc., Excel Telecommunications, Inc. and VarTec Solutions, Inc. ("VarTec Companies") hereby voluntarily withdraw their respective operating authorities to provide interexchange telecommunications services within Florida. By way of background for this request, the VarTec Companies voluntarily filed for Chapter 11 bankruptcy on November 1, 2004 in the Dallas Division of the United States Bankruptcy Court for the Northern District of Texas (the "Court") consolidated under Case No. 04-81694-HDH-11. As part of the bankruptcy process, the VarTec Companies entered into a court-approved asset purchase agreement ("APA") to sell substantially all of their assets, including customers. The APA was ultimately consummated on June 7, 2006 between the VarTec Companies and Comtel Telcom Assets LP ("Comtel"), as assignee for Comtel Investments LLC.

Due to the consummation of the APA and the bankruptcy status, the VarTec Companies no longer have an employee base, customers or other telecommunications operations in any jurisdiction. The existing customers and the associated operations were transferred to Comtel which has now stepped into the VarTec Companies' shoes to allow for a seamless transition as far as the end-user customers are concerned. The VarTec Companies' local exchange certifications were also transferred to Comtel by order of the Commission. Without impacting Comtel's operating authority, customers and/or ongoing operations, the VarTec Companies respectfully request that your office take any steps necessary to immediately withdraw any remaining operating authority and tariffs/price lists on file for corporate entities of VarTec Telecom, Inc., Excel Telecommunications, Inc. and VarTec Solutions, Inc. The VarTec Companies' final reports and assessments due to the Commission are enclosed with this correspondence in order to facilitate this request. As previously referenced, Comtel is now serving the customers acquired from the VarTec Companies.

The VarTec Companies sincerely appreciate your service and assistance over the years and now seek your prompt attention to this necessary request. Please direct any inquiries regarding the ongoing operations of Comtel to Becky Gipson at [bgipson@vartec.net](mailto:bgipson@vartec.net) or at (972) 478-3309. Acknowledgment and date of receipt of this filing are respectfully requested. Please date and file stamp the attached copy of this correspondence and return it in the enclosed pre-addressed, postage- prepaid envelope.

Respectfully submitted,

Michael G. Hoffman  
President & CEO

cc: Becky Gipson, Senior Director - Regulatory Affairs  
Comtel Telcom Assets LP d/b/a Excel Telecommunications  
2440 Marsh Lane  
Carrollton, Texas 75006