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December 7, 2015

FILED VIA ELECTRONIC WEB FORM

Ms. Carlotta Stauffer, Clerk Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

Re: Joint Notice of the Transfer of Certain Customers from Comcast Phone of Florida, LLC to First Communications, LLC

Dear Ms. Stauffer:

First Communications, LLC ("First Communications") and Comcast Phone of Florida, LLC d/b/a Comcast Digital Phone, and d/b/a CIMCO, a Division of Comcast Business Services ("Comcast Phone") (together, the Parties") submit this letter to advise the Florida Public Service Commission ("Commission") that First Communications will acquire certain interexchange resale customers from Comcast Phone. The Parties understand that Commission approval is not required for this transaction. Accordingly, this letter is filed for informational purposes only to ensure the continuing accuracy of the Commission's records.

With respect to this transaction, the Parties state as follows:

I. DESCRIPTIONS OF THE PARTIES

A. Comcast Phone of Florida, LLC d/b/a Comcast Digital Phone and d/b/a CIMCO, a Division of Comcast Business Services

Comcast Phone is a Delaware limited liability company with its principal place of business at One Comcast Center, Philadelphia, Pennsylvania, 19103-2838. Comcast Phone is a facilities-based local exchange carrier, and is authorized to provide local exchange, interexchange and other telecommunications services in Florida pursuant to Competitive Local Exchange Certificate No. 4404 (Registration No. TX576)¹ and Interexchange Carrier Certificate No. 7834 (Registration No. TJ526).² Comcast Phone will retain its Florida certificates and registrations and will continue to offer services to other customers in Florida. Comcast Phone is a wholly owned indirect subsidiary of Comcast Corporation, and an affiliate of Comcast Cable

² The Commission originally granted authority to AT&T Broadband Phone, LLC, which was later transferred to Comcast Phone in Order No. <u>PSC-02-0578-PAA-TI</u> in Docket No. 020258 (issued April 26, 2002), made final by Order No. PSC-02-0686-CO-TI (issued May 20, 2002).

Anchorage	New York	Seattle
Bellevue	Portland	Shanghai
Los Angeles	San Francisco	Washington, D.C.

www.dwt.com

¹ See Order No. <u>PSC-10-0484-FOF-TP</u> in Docket No. 100354, (issued August 3, 2010).

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Communications, LLC ("Comcast Cable").

B. First Communications, LLC

First Communications is an Ohio limited liability company founded in 1998 with its principal business at 3340 W Market St, Akron, OH 44333. First Communications is a wholly owned subsidiary of Summit Data Services, an Ohio corporation. First Communications' operations are overseen by a well-qualified management team with substantial experience and technical expertise. First Communications is authorized to provide local exchange and interexchange telecommunications services in Florida pursuant to Order No. PSC-07-0142-CO-TX issued in Docket No. 06-0770-TX on March 21, 2007,³ and Order No. PSC-01-0536-CO-TX issued in Docket No. 00-0614-TI on March 7, 2001.⁴ Further information regarding First Communications services and its legal, technical, managerial and financial qualifications to provide service was previously submitted to the Commission and is therefore a matter of public record. First Communications respectfully requests that the Commission take official notice of that information and incorporate it herein by reference.

II. DESCRIPTION OF THE TRANSACTION

On November 17, 2015, First Communications and Comcast Cable, on behalf of itself and its affiliates including Comcast Phone, entered into an Asset Purchase Agreement ("Agreement"). Pursuant to the Agreement, the Parties propose to assign certain Comcast Phone customers in Florida, including resold interexchange telephone service customer accounts and related data, databases, and customer records needed to support the provision of telecommunications services to those customers ("Customers"), from Comcast to First Communications (hereinafter, the "Transaction"). The specific customer assets that First Communications is acquiring are those that were formerly owned by CIMCO Communications, which Comcast Phone has served since 2010 under the trade name, "CIMCO, a Division of Comcast Business Services." Approximately 30 customers will be affected. As a result of the assignment, First Communications will replace Comcast Phone as the service provider to the Comcast-CIMCO Customers.

Following the proposed Transaction, the affected customers will receive service from First Communications at the same rates, terms and conditions as currently provided by Comcast Phone. Future changes in the rates, terms and conditions of service for customers will be undertaken pursuant to applicable federal and state notice and tariff requirements.

Pursuant to Section 64.1120(e) of the rules of the Federal Communications Commission, 47 C.F.R. § 64.1120(e), written notice was provided to the affected customers via First Class

³ Order No. PSC-07-0142-PAA-TX, was issued in Docket No. 06-0771-TX on February 20, 2007, amended by Order No. PSC-07-0142A-PAA-TX (issued March 5, 2007), and consummated by Order No. PSC-07-0241-CO-TX (issued March 21, 2007).

⁴ Order PSC-00-2119A-PAA-TI was issued in Docket No. 00-0614-TI on January 11, 2000, and consummated by Order No. PSC-01-0536-CO-TI (issued March 7, 2001).

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mail on November 25, 2015, more than 30 days prior to the anticipated closing date. A copy of the notice customer's received is attached as **Exhibit A**.

III. DESIGNATED CONTACTS

The designated contacts for all correspondence, notices, inquiries, and orders in relation to this filing should be sent to:

For Comcast Phone:

Michael C. Sloan DAVIS WRIGHT TREMAINE LLP 1919 Pennsylvania Ave NW, Suite 800 Washington, DC 20006 Tel: (202) 973-4227 Fax: (202) 973-4499 michael.sloan@dwt.com With copies to: Richard Chapkis Deputy General Counsel Comcast Corporation One Comcast Center, 50th Floor Philadelphia, PA 19103 Tel: 215.286.5237 Richard_chapkis@comcast.com

For First Communications:

Catherine Wang Danielle Burt MORGAN, LEWIS & BOCKIUS LLP 2020 K Street, N.W. Washington, DC 20006 Tel: (202) 373-6000 Fax: (202) 373-6001 catherine.wang@morganlewis.com danielle.burt@morganlewis.com With copies to: Sandi R. Murphy SVP and General Counsel FIRST COMMUNICATIONS, LLC 3340 West Market Street Akron, OH 44333 (330) 835-2664 smurphy@firstcomm.com

IV. PUBLIC INTEREST CONSIDERATIONS

Although we understand that no public interest analysis or approval is required, the proposed Transaction will serve the public interest. The proposed transaction will ensure that customers continue to receive high-quality telecommunications service without interruption, and at the same rates, terms and conditions as they currently enjoy, from an experienced and qualified carrier eager to serve this segment of the market. The proposed transaction also will assure an orderly transition of affected customers from Comcast to First Communications. In accordance with the Commission rules, customers will be properly notified of the proposed transaction and the change in their telecommunications provider.

The Parties respectfully request that the Commission acknowledge receipt of this letter by date-stamping the extra copy and returning it in the self-addressed, stamped envelope. An

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original and one (1) copy of this letter are enclosed for filing. Should you have any questions concerning this filing, please do not hesitate to contact the undersigned.

Respectfully submitted,

Michael O. Sloan DAVIS WRIGHT TREMAINE LLP 1919 Pennsylvania Ave NW, Suite 800 Washington, DC 20006 Tel: (202) 973-4227 Fax: (202) 973-4499 michael.sloan@dwt.com

Alan J. Galloway DAVIS WRIGHT TREMAINE LLP 1300 SW Fifth Ave, Suite 2400 Portland, OR 97201 Tel: (503) 778-5219 Fax: (503) 778-5299

Counsel for Comcast Phone of Florida, LLC

EXHIBIT A

Customer Notice





November 23, 2015

Dear Valued CIMCO Customer:

We are excited to announce that First Communications, LLC soon will become your telecommunications services provider, pursuant to an agreement between First Communications and your current provider, CIMCO, A Division of Comcast Business Services ("CIMCO").¹ The transfer to First Communications will occur on or after January 1, 2016, subject to the satisfaction of certain regulatory requirements. First Communications is committed to earning and keeping your business and will assure that you continue to receive the same great service and dedication to your telecommunications needs as you currently receive.

Your transition from CIMCO to First Communications requires no action on your part.

This change will be completely seamless, and you do not need to do anything in order for it to occur. Following the transfer to First Communications, you will continue to receive telecommunications services with the same features and at the same rates, terms and conditions as you currently enjoy. Any changes to your service following the transaction will be made in compliance with your contract, service terms and applicable federal and state legal and regulatory requirements. We do not anticipate that this transition to First Communications will cause you to incur any carrier change charges, but if you do, First Communications will pay them.

It is important that you be aware of the following information. You are responsible for continued payment of your monthly recurring and usage charges. If, for any reason, you should choose another provider for your telecommunications services you will need to contact that provider directly to arrange for the change before First Communications becomes your provider.² Otherwise, your telecommunications service(s) will automatically be transferred without service interruption from CIMCO to First Communications. If you paid a deposit or prepayment, it will be transferred to your First Communications account. In addition, if you have a preferred carrier freeze on your account, it will be lifted to make the transfer and you will need to contact your local service provider to arrange a new freeze.

Headquartered in both Chicago, Illinois and Akron, Ohio, First Communications has been providing voice, data networking and managed services to the business community since 1998. At First Communications our commitment to customer service crosses all levels of our organization: from the associate who answers customer calls in our Akron-based Care and Repair Center; to the certified engineers in our Chicago-based Network Management Center who, around the clock, proactively monitor customer networks; to the Account Managers who

¹ "CIMCO" is the trade name of the applicable Comcast Phone affiliate operating in your state, and an indirect, wholly-owned subsidiary of Comcast Corporation.

 $^{^{2}}$ Generally, you can find a list of alternative providers in the telephone book or from your state public utility regulatory agency. Please note that your right to switch providers is subject to the terms of your existing contract or service order. In addition, you may incur service initiation fees from a new provider such as service order, installation and other similar charges associated with establishing a new service account.

make it their business to know our customers. It is our dedication to customers that makes First Communications a trusted partner.

If you would like more information about the transaction or the transfer of your telecommunications services from CIMCO to First Communications, please call First Communications Vice President of Customer Engagement, Jamie Rowlands, at 1-800-344-3983. Prior to the transfer, you may also continue to contact CIMCO with any questions or concerns you may have about your current services.

We at First Communications look forward to serving you.

Sincerely,

Margi Shaw President First Communications Jay Dirkmaat Vice President Comcast Business Services

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VERIFICATION

STATE OF PENNSYLVANIA	
COUNTY OF PHILADELPHIA	ş

I, Brian A. Rankin, state that I am Vice President, Senior Deputy General Counsel of Comcast Phone of Florida, LLC ("Comcast Phone"); that I am authorized to make this Verification on behalf of Comcast Phone; that the foregoing filing was prepared under my direction and supervision; and that the statements in the foregoing document are true and correct to the best of my knowledge, information, and belief.

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Brian A. Rankin Vice President, Senior Deputy General Counsel

SWORN TO AND SUBSCRIBED before me on the $\frac{186}{1000}$ day of December 2015.

(Mristine Klung) Notary Public

My commission expires: MARCh 2, 2018

1	COMMONWEALTH OF PENNBYLYANIA	
	NOTARIAL SEAL	
	CHRISTINE KLUMPP, Notary Public	
	City of Philadelphia, Phila. County	
	My Commission Expires March 2, 2018	l

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VERIFICATION

I, Sandi R. Murphy, state that I am Senior Vice President and General Counsel of First Communications, LLC; that I am authorized to make this Verification on behalf of First Communications, LLC; that the foregoing filing was prepared under my direction and supervision; and that the statements in the foregoing document regarding First Communications, LLC 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 this $\underline{\mathcal{S}}$

day of December, 2015.

hunde Sandi R. Murphy

Senior Vice President and General Counsel First Communications, LLC