## EARLY, LENNON, CROCKER & BARTOSIEWICZ, P.L.C.

ATTORNEYS AT LAW

900 COMERICA BUILDING KALAMAZOO, MICHIGAN 49007-4752 TELEPHONE (269) 381-8844 FACSIMILE (269) 381-8822

GEORGE H. LENNON DAVID G. CROCKER MICHAEL D. O'CONNOR HAROLD E. FISCHER, JR. LAWRENCE M. BRENTON GORDON C. MILLER GARY P. BARTOSIEWICZ BLAKE D. CROCKER ROBERT M. TAYLOR RON W. KIMBREL PATRICK D. CROCKER RUSSELL B. BAUGH ANDREW J. VORBRICH TYREN R. CUDNEY STEVEN M. BROWN KRISTEN L. GETTING OF COUNSEL JOHN T. PETERS, JR.

THOMPSON BENNETT (1912 - 2004) VINCENT T. EARLY (1922 - 2001) JOSEPH J. BURGIE (1926 - 1992)

August 16, 2005

Blanca Bayó Florida Public Service Commission Capital Circle Office Center 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850

Re:

Acceris Management and Acquisition LLC

Docket No. 050428-TI

Dear Ms. Bayó:

In accordance with the request of Toni McCoy, enclosed herewith for filing with the Commission please find the following:

- 1. Request for Waiver of FAC 25-4.118;
- 2. Verification for handling of customer complaints after the transfer;
- 3. Sample Customer notice to be provided to customers; and

4. Labels for adopting the local exchange price list of WorldxChange Corp. d/b/a Acceris Communications Partners and d/b/a Acceris Communications Solutions.

Also enclosed is an exact duplicate of this letter. Please stamp the duplicate received and return same in the postage-paid envelope attached thereto.

Please contact me if you have additional questions or concerns.

Very truly yours,

EARLY, LENNON, CROCKER & BARTOSIEWICZ, P.L.C.

Patrick D. Cyocker

PDC/pas

DOCUMENT NUMBER-DATE

07978 AUG 17 8

Before the FLORIDA PUBLIC SERVICE COMMISSION

Petition for Authority for Acceris Management and Acquisition LLC

to Acquire Certain Assets of

Acceris Communications Corp.

Docket No. 050428-TI

REQUEST FOR WAIVER

Pursuant to rule 25-4.118(1), Florida Administrative Code, the local, local toll call, or long

distance provider of a customer shall not be changed without the customer's authorization. Rule

25-4.118-(2) provides that a local provider or IXC shall submit a change request to the local

exchange carrier only if one of the following has occurred: (a) the provider has a letter of agency

from the customer requesting the change; (b) the provider has received a customer-initiated call

for service; or (c) a third party firm has verified the customer's requested change. The Parties

ask the Commission to waive the conditions in 25-4.118-(2) in order to allow the transfer of

customers of record. The Parties have made the necessary filing with the Federal

Communications Commission in accordance with streamlined procedures currently effective.

WHEREFORE, ACCERIS and ACC respectfully request that the Commission authorize

the sale of assets from ACC to ACCERIS. In addition, the Parties respectfully request expedited

processing of this Joint Petition so that the transaction may proceed without undue delay, and

that the Commission grant such other relief deemed necessary or proper.

Respectfully submitted,

Acceris Management and Acquisition LLC and

Acceris Communications Corp.

August 15, 2005

By: Patrick D. Crocker

Early, Lennon, Crocker & Bartosiewicz, P.L.C.

Its **A**ttorneys

## Before the FLORIDA PUBLIC SERVICE COMMISSION

Petition for Authority for	)	
Acceris Management and Acquisition LLC	)	
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Acceris Communications Corn	1	

## **VERIFICATION**

I, Patrick D. Crocker, am the Acceris Management and Acquisition LLC ("AMAL"), and am authorized to make this verification on its behalf. I do hereby verify that if a customer of Acceris Communications Corp files a complaint about the service provided or disputes an invoice that was received prior to the acquisition by AMAL, then AMAL will work with the customer and/or Commission to resolve the complaint within the following guidelines:

Adjustments to customers' bills shall be made to the extent that records are available and/or circumstances exist which reasonably indicate that such charges are not in accordance with approved rates or that an adjustment may otherwise be appropriate.

The Company's liability arising out of mistakes, interruptions, omissions, delays, errors, or defects in the transmission occurring in the course of furnishing service or facilities, and not caused by negligence of its employees or its agents, in no event shall exceed an amount equivalent to the proportionate charges to the customer for the period during which the aforementioned faults in transmission occur, unless ordered by the Commission.

Executed on the 15th day of August 2005.

Acceris Management and Acquisition LLC

Patrick D. Crocker

Subscribed and sworn before me this 15<sup>th</sup> day of August 2005.

Notary Public: Paŭla A. Schneider Commission Expires: June 24, 2011 Kalamazoo County, Michigan Acting in Kalamazoo County



August 1, 2005
RE: New Service Provider
Dear Valued Customer:
I am pleased to inform you that ACCERIS MANAGEMENT AND ACQUISITION LLC is acquiring the business operations of ACCERIS COMMUNICATIONS CORP. This is a very positive development for you as our customer. This change will allow us to more rapidly expand our operations and bring you the best telecommunications service in the industry. This change will take place on or about
There is no cost to move your existing service to ACCERIS MANAGEMENT AND ACQUISITION LLC. You will continue to receive the services you currently have with no change in rates. All necessary steps have been taken to ensure a smooth transition. If you have any questions or concerns, please contact us at: ACCERIS MANAGEMENT AND ACQUISITION LLC, 60 South Sixth Street, Suite 2535, Minneapolis, MN 55402, or 1-800-569-8700.
Very shortly, we expect to introduce new and innovative products and promotions that will bring added value to you. And of course you will continue to benefit from significant savings. You should know that you have an option to change your telecommunications provider. If you would like to change service providers, you should do so before, otherwise your service will automatically convert to ACCERIS MANAGEMENT AND ACQUISITION LLC following approval of the transaction by state and federal regulators, even if you have a "preferred carrier" freeze on your account. If you have a "preferred carrier" freeze on your account and would like to keep that protection after the transfer, you'll need to contact ACCERIS MANAGEMENT AND ACQUISITION LLC at its toll-free number, 1-800-569-8700.
ACCERIS MANAGEMENT AND ACQUISITION LLC has no plans to change the rates, terms, and conditions of services currently provided to you. In addition, no charges or fees will be imposed as a result of this transfer. ACCERIS MANAGEMENT AND ACQUISITION LLC will provide at least thirty (30) days prior written notice of any changes to these rates, terms, and conditions up to ninety (90) days from the date of the transfer of customers. Any future changes in rates, terms and conditions of service will be done as prescribed by the Federal Communications Commission (FCC) and your state regulatory commission.
Please note that ACCERIS MANAGEMENT AND ACQUISITION LLC will not be responsible for any outstanding complaints filed against ACCERIS COMMUNICATIONS CORP. before ACCERIS MANAGEMENT AND ACQUISITION LLC began providing your service. Those complaints remain the responsibility of ACCERIS COMMUNICATIONS CORP.
On behalf of the entire team of employees, I look forward to continuing to serve you. We realize that you have a choice in selecting a telecommunications provider and we appreciate your business.
Sincerely,
Allan Silver

Tel: 1-800-569-8700