

Section 1 - Bureau of Records Complet

Docket No. 040868-TX Date Docketed: 08/17/2004 Title: Request for name change on CLEC Certificate No. 5648 from XO Florida, Inc. to XO Communications Services, Inc.

Company: XO Communications Services, Inc.
XO Florida, Inc.

Official Filing Date: Expiration:

Last Day to Suspend:

Referred to:

CCA	(CMP)	ECR	FLL	GCL	MMS	PIF	RCA	SCR
	X			X				

("O" indicates OPR)

Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program Module B1(d)

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT
IT IS TENTATIVE AND SUBJECT TO REVISION.
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff

Staff Counsel

OCRs
OCRs

	0	Current CASR revision level	Due Dates	
			Previous	Current
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Recommended assignments for hearing and/or deciding this case:

Full Commission _____ Commission Panel _____
Hearing Examiner _____ Staff _____

Date filed with CCA: _____

Initials: OPR _____
Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	BZ	DS	JB	BD	DV		

Prehearing Officer					ADM
Commissioners					
BZ	DS	JB	BD	DV	

Where panels are assigned the senior Commissioner is Panel Chairman:
the identical panel decides the case.
Where one Commissioner, a Hearing Examiner or a Staff Member is
assigned the full Commission decides the case.

Approved: _____
Date: _____

14488-04

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Staff Assignments

OPR Staff	Staff Assignments	0	Due Dates	
			Previous	Current
T Williams				
	1. Memo to GCL		NONE	09/09/2004
	2. Administrative Order		NONE	09/24/2004
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	4.			
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Staff Counsel	D Rockette-Gray			
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Recommended assignments for hearing and/or deciding this case:

Full Commission _____ Commission Panel _____
Hearing Examiner _____ Staff _____ X

Date filed with CCA: 08/26/2004

Initials: OPR _____
Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg Exam	Staff
ALL	BZ	DS	JB	BD	DV		X

- Prehearing Officer

Commissioners					ADM
BZ	DS	JB	BD	DV	X

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Approved: BBB/ [Signature]
Date: 08/26/2004

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Section 2 - OPR Completes and returns to CCA in 10 workdays.

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Program Module B1(d)

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Staff Assignments

OPR Staff T Williams

Current CASR revision level

Due Dates
Previous Current

Staff Counsel D Rockette-Gray

OCRs

Recommended assignments for hearing and/or deciding this case:

Full Commission _____ Commission Panel _____
Hearing _____ Staff

Date filed with CCA: 09/09/2004

Initials OPR _____
Staff Counsel _____

1.	Memo to GCL	09/09/2004	09/23/2004
2.	Administrative Order	09/24/2004	10/15/2004
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Approved: _____
Date: _____

133/rw
~~Pending~~ 9/14/04

Kay Flynn

From: Sally Simmons
Sent: Friday, July 30, 2004 3:55 PM
To: Tommy Williams
Cc: Kay Flynn; Beth Keating
Subject: FW: XO/Allegiance



FAX.TIF (31
KB)

Tommy, please see me Monday morning so that we can discuss. I'm thinking that XO needs a waiver of the slamming rules and approval for the acquisition (with respect to Allegiance's IXC entity, but not the CLEC entity), plus Allegiance's IXC registration and CLEC certificate need to be canceled once all RAFs are paid. I don't deal with these types of questions very often and need your thoughts. Thanks.

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

From: Kay Flynn
Sent: Friday, July 30, 2004 3:06 PM
To: Sally Simmons; Karen Belcher
Cc: Beth Keating; Kimberley Pena; Nonnye Grant
Subject: XO/Allegiance

I received a fax a short time ago (copy attached) stating XO Communications, Inc. purchased Allegiance Telecom, Inc. 6/23/04 and asking us to change all mailing addresses for Allegiance to an XO address.

Wouldn't this kind of transaction need to be treated as a transfer and cancellation of Allegiance's CLEC cert and IXC registration, meaning XO needs to make a formal filing for docketing and PSC approval and acknowledgment? If so, Sally, could you have someone on your staff call and instruct them on how to proceed? We won't make any address changes till we hear back from CMP.

Karen, please note that the fax includes a request for "a copy of both the local and long distance returns filed by Allegiance for 07/01/03 - 12/31/03." Is he talking about RAFs? If so, can you have someone fax the forms to the fax number listed in his request?

Thanks.
Kay

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Sent: Friday, July 30, 2004 3:06 PM
To: Sally Simmons; Karen Belcher
Cc: Beth Keating; Kimberley Pena; Nonnye Grant
Subject: XO/Allegiance



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Thanks.
Kay

Tracking:

Recipient	Read
Sally Simmons	Read: 7/30/2004 3:08 PM
Karen Belcher	Read: 7/30/2004 3:33 PM
Beth Keating	
Kimberley Pena	Read: 7/30/2004 3:10 PM
Nonnye Grant	Read: 7/30/2004 3:07 PM

XO Communications

Fax

To: Kay Flynn **From:** Martin Pfister

Fax: (850) 413-6745 **Pages:** (including cover)

Phone: (850) 413-6744 **Date:** 7/30/2004

Re: Allegiance Telecom Address Change **CC:**

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

• **Comments:** Please change the mailing address on file for Allegiance Telecom and provide copies of the Local and Long Distance Allegiance returns for the period 7/03-12/03.



XO Communications, Inc.

11111 Sunset Hills Road
Reston, VA 20190
USA

Memo

To: Kay Flynn
From: Martin Pfister, Regulatory Tax Manager
Date: 7/30/2004
Re: Allegiance Telecom Change of Address due to acquisition by XO Communications, Inc.

On June 23, 2004, XO Communications, Inc. purchased Allegiance Telecom, Inc. (FEIN 75-2777353). Please change the all mailing addresses for Allegiance Telecom to the following:

XO Communications, Inc.
C/O Tax Department
11111 Sunset Hills Rd,
Reston, VA 20190

I have attached the Form 8-K which was filed appropriately with the SEC as proof of purchase. Please call me with any questions or concerns.

I would also like to request a copy of both the Local and Long Distance returns filed by Allegiance for 07/01/03-12/31/03. If you could fax those to (703) 547-2420 I would greatly appreciate it.

Thank you,

Martin Pfister
Property & Regulatory Tax Manager
(703) 547-2866
martin.g.pfister@xo.com

Form 8-K for XO COMMUNICATIONS INC

29-Jun-2004

Acquisition or Disposition of Assets and Financial Statements & Exhibits**Item 2. Acquisition or Disposition of Assets.**

On June 23, 2004, XO Communications, Inc. ("XO") announced that it completed its acquisition of the purchase of substantially all of the assets of Allegiance Telecom, Inc. for approximately \$322.0 million in cash, including \$11 million of adjustments for working capital, and 45.4 million shares of XO common stock. The cash portion of the purchase price was funded out of XO Communication's working capital. The terms of the purchase agreement, including the purchase price, were determined through arms-length negotiations between the parties thereto. Allegiance is a facilities-based national local exchange carrier that provides integrated telecommunications services to business, government and other institutional users in 36 major metropolitan areas across the United States.

A copy of the press release of the Company announcing the approval of the purchase is attached hereto as Exhibit 99.1.

Item 7. Financial Statements and Exhibits.

Exhibits. XO Communications, Inc.

99.1 Press Release of XO Communications, Inc., dated June 23, 2004.

040868

040869

040870

Kay Flynn

To: Sally Simmons
Subject: RE: XO of Florida

Thanks for the further clarification, Sally.....we'll take action when we get a filing or Tommy asks us to open docket.

From: Sally Simmons
Sent: Tuesday, August 03, 2004 2:09 PM
To: Kay Flynn
Subject: FW: XO of Florida

FYI -- I talked with Tommy further and understand that Allegiance's old CLEC certificate and IXC registration will be canceled.

From: Tommy Williams
Sent: Tuesday, August 03, 2004 1:44 PM
To: Sally Simmons
Subject: RE: XO of Florida

All will be consolidated into XO communications

From: Sally Simmons
Sent: Tuesday, August 03, 2004 11:32 AM
To: Tommy Williams
Cc: Kay Flynn
Subject: RE: XO of Florida

Tommy, re. Allegiance's old CLEC and IXC entities, will the certificate/registration be canceled or held by XO?
Thanks.

From: Tommy Williams
Sent: Tuesday, August 03, 2004 11:21 AM
To: Sally Simmons
Cc: Kay Flynn
Subject: XO of Florida

FYI:

Talked to Julie this morning and I had forgotten about a letter that we received on July 19 that was in my in box. As soon as they get conformation back from Division of Corp. on another name change concerning all of XO subsidiaries I will open a docket to transfer and waive slamming. All is well and I will hole on the the name change information until this arrives.

8/3/2004

Kay Flynn

To: Tommy Williams; Sally Simmons

Subject: RE: XO of Florida

Thanks, Tommy. We'll place this fax in the undocketed correspondence file and wait for an "official" document to open a docket.

Kay

From: Tommy Williams

Sent: Tuesday, August 03, 2004 11:21 AM

To: Sally Simmons

Cc: Kay Flynn

Subject: XO of Florida

FYI:

Talked to Julie this morning and I had forgotten about a letter that we received on July 19 that was in my in box. As soon as they get conformation back from Division of Corp. on another name change concerning all of XO subsidiaries I will open a docket to transfer and waive slamming. All is well and I will hole on the the name change information until this arrives.

8/3/2004

CCA Official Filing

9/30/2004 9:56 AM*****

Matilda Sanders1

Matilda Sanders

0955-FOF

From: LaSandra Givens
Sent: Thursday, September 30, 2004 9:54 AM
To: CCA - Orders / Notices
Subject: Order / Notice Submitted

Date and Time: 9/30/2004 9:52:00 AM

040867-TX 040867.DRG.DOC
040868-TX 040868.DRG.DOC

ORDER ACKNOWLEDGING NAME CHANGE

12/0