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May 20, 2015

Via ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: CC Docket No. 00-257 - Notification Pursuant to 47 C.F.R. § 64.1120(e) for Birch Communications, Inc. and OrbitCom, Inc.

Dear Secretary Dortch:

Pursuant to 47 C.F.R. § 64.1120(e)(1), Birch Communications, Inc. (“BCI”), on behalf of itself and the subsidiaries noted below (collectively, “Birch”), and OrbitCom, Inc. (“OrbitCom”) (Birch and OrbitCom collectively, the “Applicants”) hereby notify the Federal Communications Commission (“Commission”) of the pending transfer of certain OrbitCom customers to Birch.

Parties to the Transaction: The Applicants filed a request for approval of the transfer of certain OrbitCom assets and customers to Birch. That request is pending under WC Docket No. 15-102 and File No. ITC-ASG-20150428-00109. The following entities are involved in this transaction:

OrbitCom, Inc.

Birch Communications, Inc.
Ionex Communications North, Inc. dba Birch Communications

Type of Telecommunications Services Provided to Affected Subscribers: OrbitCom provides intrastate, interstate, and international telecommunications services to its subscribers. The customer transfer involves customers currently receiving services from OrbitCom in Arizona, Colorado, Idaho, Iowa, Minnesota, Montana, Nebraska, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming.

Planned Date of Transfer: OrbitCom customers will be transferred after the receipt of all necessary regulatory approvals. The Birch entity that will provide services to the affected OrbitCom customers will be Ionex Communications North, Inc., which holds domestic 214 authority and operates pursuant to the international 214 authority held by Birch Telecom, Inc.

Certification of Compliance: Birch hereby certifies that it has complied with the requirement to provide advance notice to affected OrbitCom customers in accordance with 47 C.F.R. § 64.1120(e)(3) and with the other statutory and Commission requirements that apply to this streamlined process. Please see the attached verification.

Copy of Notice To Be Sent to Affected Subscribers: Drafts of the notices sent to affected OrbitCom subscribers are attached. Please note that there are specific customer notice drafts for use in Colorado and Oregon that comply with 47 C.F.R. § 64.1120(e) and applicable customer notice requirements in those states. Customers in all other states included in the transaction will receive the same notice in compliance with 47 C.F.R. § 64.1120(e).

If you have any questions regarding this matter, please contact the undersigned.

Respectfully submitted,



Angela F. Collins
Counsel for Birch Communications, Inc.

Attachments

Verification

I, Christopher Bunce, Senior Vice President, Legal, Regulatory and General Counsel of Birch Communications, Inc. and its subsidiaries, hereby certify under penalty of perjury that the statements in the foregoing filing are true, complete, and correct to the best of my knowledge, information, and belief.

Date:

5/18/2015



Christopher Bunce
Senior Vice President, Legal, Regulatory
and General Counsel



Insert Customer Name and Address

IMPORTANT NOTICE
REGARDING A CHANGE IN YOUR TELECOMMUNICATIONS SERVICES

Birch Communications (“Birch”) and OrbitCom, Inc. (“OrbitCom”) are pleased to announce that Birch is acquiring OrbitCom’s local telephone and long distance telephone customers, as well as certain other customers receiving additional types of services from OrbitCom. Subject to approval by the Federal Communications Commission and state regulators as necessary, Birch will replace OrbitCom as your current telecommunications service provider on or after June 4, 2015 (the “Transfer Date”). As a result of this transaction, Birch will assume responsibility for all services previously provided to you by OrbitCom. Birch is excited about the opportunity to provide your telecommunications service(s) and looks forward to a long and mutually rewarding business relationship.

Please rest assured, the transition will have little or no impact on your current services, nor will there be any interruption of your service. The agreement between Birch and OrbitCom has been structured so that the transfer of service will be virtually seamless, other than the possibility of a minor change to your voice mail service for which you will receive additional information.¹ There, however, may be other changes to your service plan based on Birch’s unique billing systems (e.g., customers currently utilizing a message or measured local service plan may be switched to a flat rate plan). In those cases, Birch will transition you in a neutral manner **with no increase to your regular monthly recurring charges**. You will retain all other service rates, features, terms, and conditions of service and your telephone number. Birch will not impose any charges for the transfer of your services to Birch and **no action is required from you to continue your telecommunications service(s) with Birch**. You will receive your first billing statement from Birch starting with your June 2015 or July 2015 bill. As in the past, you are responsible for paying all bills rendered to you by OrbitCom during the transition of service.²

You do have the right to select a different carrier for your telecommunications service(s). If you choose to switch to an alternate carrier for services, you may incur a fee from that alternate carrier for the transfer of services to that alternate carrier. If you select a local telephone service provider other than Birch, you should also contact your current long

¹ It will be necessary for you to reset your password and re-record your message greeting(s). Additionally, saved messages at the time of the transfer will no longer be retained. Birch will provide further details in a follow-up letter.

² Those customers interested in setting up online payments will be pleased to know Birch offers online payments and account updates.

distance provider to ensure that your current long distance plan is not changed. Please note that if you are a customer of OrbitCom on the Transfer Date as set forth above, your account will automatically be transferred to Birch. In addition, should you have a term commitment with OrbitCom and you disconnect or transfer services to another carrier prior to the end of that term, you will be liable to Birch for any applicable early termination charges, subject to applicable law. Please note that when your service is transferred to Birch, any preferred carrier "freeze" you have placed on your existing telephone lines to prevent unauthorized transfer of your services to another carrier will be over-ridden for purposes of this transaction and will need to be reinstated by you by contacting Birch after the transfer is complete.

If you have any questions regarding this transaction or questions about your service or billing prior to the Transfer Date set forth above, you should contact OrbitCom at: **866-834-7837**.

If you have any questions regarding this transaction, or questions about your service or billing after the Transfer Date set forth above, you should contact Birch at **888-772-4724**.³

OrbitCom thanks you for your business and Birch looks forward to providing you with quality service for many years to come.

Sincerely,

OrbitCom, Inc. and
Birch Communications

³ **About Birch Communications** - Headquartered in Atlanta, Georgia, Birch Communications is one of the largest competitive local exchange carriers in its 50-state footprint, serving residential and business customers. Birch was the first in its class to deploy its own private IP network utilizing soft switch technology to deliver innovative, high quality, affordable voice and broadband communications services to small- to large-sized business customers.



Insert Customer Name and Address

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CO/OR

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