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**FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY**

Focal Communications Corporation of the Mid-Atlantic  
7799 Leesburg Pike  
Suite 850 North  
Falls Church, VA 22043

703-637-8700  
703-893-7888 fax

August 2, 2001

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
The Portals  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Re: In the Matter of 2000 Biennial Review—Review of Policies  
and Rules Concerning Unauthorized Changes of Consumers Long  
Distance Carriers—CC Docket No. 00-257

Dear Ms. Salas:

Focal Communications Corporation (“Focal”), pursuant to amended Section 64.1120 of the Commission’s Rules, respectfully notifies the Commission of its intent to transfer certain presubscribed customers of OnSite Access, Inc. (“OnSite”) to Focal.

Due to adverse developments in the telecommunications industry, OnSite has filed for bankruptcy protection and will discontinue the provision of telecommunications services once all regulatory approvals have been obtained. On June 20, 2001, the Bankruptcy Court ordered that an auction for OnSite’s assets be held on July 9, 2001 and a hearing was held on July 12, 2001, approving Focal Financial Services, Inc. as a successful bidder for various OnSite assets, including certain customer accounts. The parties are currently negotiating an asset purchase agreement and related documents to ensure the continued provision of services to OnSite customers, the completion of the transaction, and the seamless transition of the purchased OnSite customer accounts to Focal.

Pursuant to the FCC’s Order and amended Section 64.1120 of the Commission’s Rules, Focal provides the following information:

**Names of the Parties to the Transaction:** The acquiring carrier is Focal Financial Services, Inc. (“Focal Financial Services”), which is a wholly-owned subsidiary of Focal Communications Corporation. Focal Financial Services does not provide telecommunications services and holds no regulatory licenses. Customers acquired by this transaction will be served by Focal’s operating subsidiaries<sup>1</sup> that are authorized to

<sup>1</sup> The relevant Focal operating subsidiaries include: Focal Communications Corporation of New York, Focal Communications Corporation of New Jersey, Focal Communications Corporation of the Mid-Atlantic, Focal Communications Corporation of Georgia, Focal Communications Corporation of

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provide telecommunications services in the relevant states and are wholly-owned subsidiaries of Focal Financial Services. OnSite Access, Inc. will be discontinuing its provision of telecommunications services and is, therefore, selling its assets, including certain customer accounts to Focal.

**Types of Telecommunications Services Provided to Affected Customers:**

Focal will provide local exchange services, and in some instances, both local exchange services and interexchange services to affected customers.

**Date of the Transfer:** Focal plans to notify OnSite customers at least thirty (30) days prior to the date the transfer occurs. The parties intend to transfer the customers as soon as regulatory approvals are obtained, but the transfer will not occur less than thirty (30) days from the date of this letter.

**Certification of Compliance:** Focal's certification that it will comply with the required procedures for the customer base transfer, including the provision of advance written notice to all affected subscribers, is appended hereto as Attachment A.

**Copy of Notice Sent to Affected Subscribers:** A copy of the notice Focal plans to send to affected subscribers, in compliance with the amended rules, is appended hereto as Attachment B.

Sincerely,



Pamela S. Arluk  
Senior Counsel  
Focal Communications Corporation  
7799 Leesburg Pike, Suite 850 North  
Falls Church, Virginia 22043

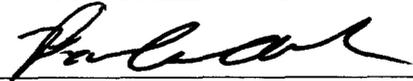
## **ATTACHMENT A**

## CERTIFICATION OF FOCAL COMMUNICATIONS

On behalf of Focal Communications Corporation ("Focal"), and in accordance with Section 64.1120 of the Commission's rules, 47 C.F.R. § 64.1120, I hereby certify that:

1. Under penalty of perjury, that I have read the foregoing document and the statements therein are true, complete and correct to the best of my knowledge.
2. Focal will comply with the required FCC procedures for the transfer of certain OnSite Access, Inc.'s customer's to Focal, including the provision of advanced written notice to all affected OnSite customers.

Focal Communications Inc.

By: 

Name: Pamela Arluk

Title: Senior Counsel

Date: August 2, 2001

**ATTACHMENT B**

To Onsite Access Customer:

On May 16, 2001 your current telecommunications provider, Onsite Access, filed for bankruptcy protection under Chapter 11.

As the underlying voice communications carrier for Onsite, Focal Communications Corporation has made arrangements to provide your voice telephone service directly and without interruption. The actual transfer will occur after regulatory approval has been obtained, which we anticipate occurring within the next thirty (30) to sixty (60) days. Please note that during this transition:

- Focal will convert your service without interruption and you will incur no charge for this change.
- No orders to Focal are necessary to maintain service.
- No changes will be made to your service during this conversion (i.e. long distance or service features). Onsite long distance customers will now be served by Focal. If another carrier provides your long distance service, no changes will be made to your long distance selection.
- Focal will invoice your account directly at the same rates, terms and conditions under your existing contract with Onsite.
- All past due charges will be owed to Focal. However, until the date of transition, Onsite shall be responsible for all customer care and billing issues

You may choose another carrier to provide your local or long distance service; however, you may be subject to termination penalties applicable under your existing contract(s) with Onsite and/or your long distance provider. Your service will be converted to Focal unless you otherwise notify us within thirty (30) days from the date of this letter. Focal will be responsible for any carrier change charges associated with the transfer. If you have arranged preferred carrier freezes on any of the services being transferred, those freezes will be lifted prior to the transfer. In order to reinstate the preferred carrier freezes, you must contact Focal or your local service provider. Focal is not responsible for any outstanding complaints with Onsite and these complaints should be directed to Onsite.

Focal Communications has been providing voice services to business customers since 1996, and has received a number of awards for our outstanding customer care. Our focus has been to build superior networks, utilize best-of-breed technology and deliver personalized service to all of our customers.

At this time any data services you currently have through Onsite Access will not be covered in the transition of service to Focal and alternate arrangements should be made for these services. Focal does offer Managed Internet Access and DSL service in many of our markets, please contact us to find out more.

As the General Manager responsible for you market, I look forward to building on the support originally provided to you by Onsite Access. If you would like more information on Focal, have any questions concerning this process or would like to speak to someone locally, please feel free to contact us at 1-877-ASK-FOCAL (1-877-275-3622).

You may also visit our web site, [www.focal.com](http://www.focal.com), to learn more about Focal and our product line. We look forward to providing you quality service.

Best regards,

GM's Name  
General Manager