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December 7, 2001

**BY HAND DELIVERY**

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

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**Re: CC Docket No. 00-257; ~~In~~ the Matter of 2000 Biennial Review - Review of Policies and Rules Concerning Unauthorized Changes of Consumers Long Distance Carriers. Notification of Cavalier Telephone, L.L.C. and Cavalier Telephone Mid-Atlantic, L.L.C. Pursuant to 47 C.F.R. § 64.1120**

Dear Ms. Salas:

Cavalier Telephone, L.L.C. and its wholly owned subsidiary, Cavalier Telephone Mid-Atlantic, LLC (together, "Cavalier"), pursuant to Section 64.1120 of the Commission's Rules, hereby notify the Commission of their intent to acquire part of the subscriber base of Net2000 Communications Services, Inc. and of Net2000 Communications of Virginia, LLC (together, "Net2000"). Net2000 has been operating under bankruptcy protection since November 16, 2001.

An original and one (1) copy of this letter are enclosed. Please date stamp the enclosed extra copy of this letter and return it in the envelope provided.

By way of background, Cavalier Telephone, L.L.C. and Net2000 Communications Services, Inc., and Net2000 Communications of Virginia, LLC (together, "Net2000") have entered into an asset purchase agreement whereby Cavalier will acquire substantially all of the assets of Net2000, including certain Net2000 local and/or long distance subscribers in Maryland, Virginia, and the District of Columbia. Specifically, Cavalier Telephone, L.L.C. will acquire Net2000 subscribers in Virginia. Cavalier Telephone Mid-Atlantic, L.L.C. will acquire Net2000 subscribers in Maryland and the District of Columbia.

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Pursuant to Section 64.1120 of the Commission's Rules, Cavalier provides the following additional information:

**Names of the Parties to the Transaction:** The parties to the transaction include: Cavalier Telephone, L.L.C., Cavalier Telephone Mid-Atlantic, L.L.C., Net2000 Communications Services, Inc., and Net2000 Communications of Virginia, LLC.

**Types of Telecommunications Services Provided to Affected Customers:** Cavalier will provide local exchange services, and also, in some instances, interexchange services to affected customers.

**Date of the Transfer:** The parties anticipate that the affected Net2000 subscribers will be transferred to Cavalier on January 6, 2002, or as soon as possible thereafter following receipt of regulatory approval and the approval of the Bankruptcy Court.

**Certification of Compliance:** Attached hereto as Attachment A is Cavalier's certification required under Section 64.1120(e)(1) of the Commission's rules.

**Copy of Notice Sent to Affected Subscribers:** Attached hereto as Attachment B is a copy of the customer notice that was sent to affected Net2000 subscribers. The customer notice was mailed on December 6, 2001, and accordingly, Cavalier does not anticipate the transfer of any Net2000 customers before January 6, 2002.

Should there be any questions regarding this notification, please do not hesitate to contact us.

Sincerely,



Jean L. Kiddoo  
Grace R. Chiu

Counsel to Cavalier Telephone, L.L.C. and  
Cavalier Telephone Mid-Atlantic L.L.C.

cc: Martin Clift, Jr. (Cavalier)  
Anthony Hansel (Net2000)

**ATTACHMENT A**

Certification of Cavalier Telephone, L.L.C. and  
Cavalier Telephone Mid-Atlantic, L.L.C.

**JOINT CERTIFICATION OF  
CAVALIER TELEPHONE, L.L.C. AND  
CAVALIER TELEPHONE MID-ATLANTIC, L.L.C.**

On behalf of Cavalier Telephone, L.L.C. and Cavalier Telephone Mid-Atlantic, L.L.C. ("Cavalier"), and in accordance with Section 64.1120 of the Commission's rules, 47 C.F.R. § 64.1120, I hereby certify under penalty of perjury that:

1. I have read the foregoing document and the statements contained therein are true, complete and correct to the best of my knowledge.
2. Cavalier will comply with the FCC requirements and procedures governing the transfer of customers presubscribed to Net2000 Communications Services, Inc. or Net2000 Communications Services of Virginia, LLC, to Cavalier, including the provision of advance written notice to all affected Net2000 subscribers.

CAVALIER TELEPHONE, L.L.C.  
CAVALIER TELEPHONE MID-ATLANTIC, L.L.C.

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Sworn to and subscribed before me, in my presence  
this 6<sup>th</sup> day of December, 2001. A Virginia  
Notary Public. In and for the State at Large.

Just Doyle Adams Notary Public

My Commission Expires July 31, 2004



**ATTACHMENT B**

**Notice Sent to Affected Subscribers**

**AN IMPORTANT NOTICE REGARDING YOUR LOCAL AND LONG DISTANCE TELEPHONE SERVICE FROM NET2000 COMMUNICATIONS SERVICES, INC. AND CAVALIER TELEPHONE MID-ATLANTIC, LLC**

November 29, 2001

Dear Net2000 Customer:

As you may know, since November 16, 2001, Net2000 Communications Services, Inc. ("Net2000") has been operating under bankruptcy protection. In order to ensure that you continue to receive high quality service, we are pleased to inform you that Net2000 expects to transfer its local and long distance service customers to Cavalier Telephone Mid-Atlantic, LLC ("Cavalier"). Subject to final regulatory and Bankruptcy Court approvals, the anticipated date for the transfer of your service to Cavalier is January 1, 2002, or as soon thereafter as the necessary governmental approvals can be obtained. Upon completion of the transfer, Net2000 will no longer be your local or long distance telephone service provider.

As a customer of Cavalier, one of the mid-Atlantic area's fastest growing phone companies, you will continue to receive all the features, terms and conditions of service, and current rates that you enjoy today. Notice of any future changes in rates, terms and conditions of service will be provided as required by law. You may call Cavalier at 800-683-3944 or visit its website at [www.cavtel.com](http://www.cavtel.com) to learn more about Cavalier and the new services that will be available to you.

Cavalier uses state-of-the-art fiber optics and advanced digital switching equipment to offer the latest in voice, data and video telecommunications services while providing customers like you with personal service and significant savings. You will not be inconvenienced by this change – your current telephone number and account will be migrated to Cavalier and the process will be seamless. The only change you will notice is the name of your new service provider on your bill beginning in January 2002.

As part of Net2000's discontinuation of service process, we are required to provide you with the following information:

*The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments within 15 days after receipt of this notification. Address them to the Federal Communications Commission, Washington, DC 20554 referencing the §63.71 Application of Net2000 Communications Services, Inc. Comments should include specific information about the impact of the proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.*

The transfer of your account to Cavalier is subject to the final approval of the U.S. Bankruptcy Court. It is possible that the Court will permit a carrier other than Cavalier to acquire your account, or direct Net2000 to simply terminate service without transferring customer accounts. If so, we will notify you of any such development as soon as reasonably possible.

It has been the pleasure of Net2000 to provide you with quality local, long distance and data communications services and we emphasize that you are a valued customer of Net2000 and will be treated as such by Cavalier. You will automatically become a Cavalier customer and Cavalier will pay any change charges associated with the transfer of your account, unless, subject to any contractual obligations with Net2000, you choose another carrier within thirty (30) days of the date of this letter. You may choose another carrier for your telephone service at any time in accordance with the terms of your contract. If you have placed a "freeze" on Net2000's local or long distance services to prevent their unauthorized transfer to another carrier, it will be lifted and your Net2000 services will be transferred to Cavalier. At your request, Cavalier can re-establish freeze protection for you after the transfer.

Cavalier will work to resolve any complaints you may have against Net2000 that have not been resolved by the time your account is transferred.

If you have any questions regarding this notice or any of Net2000's services, please contact a representative of Net2000 at 800-354-2250, located at 2180 Fox Mill Road, Herndon, VA 20171. Questions regarding Cavalier may be directed to a representative of Cavalier at 800-683-3944, located at West Laburnum Avenue, Richmond, VA 23227.

Cordially,

Cavalier Telephone Mid-Atlantic, LLC

Net2000 Communications Services, Inc.