

ELINK

BROADBAND...AND THE BUSINESS OF POSSIBILITIES

DOCKET FILE COPY ORIGINAL

December 20, 2001

DEC 28 2001

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
The Portals
445 12th 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:

eLink Telecommunications, Inc. (“eLink”), pursuant to amended Section 64.1120 of the Commission’s Rules, respectfully notifies the Commission of its intent to transfer certain presubscribed customers of Focal Financial Services, Inc. (“Focal”) to eLink.

eLink recently closed on the acquisition of selected assets of OnSite Access, Inc. as part of a bankruptcy proceeding that OnSite initiated last summer. As part of that process, Focal acquired certain other assets of OnSite Access. Because of eLink’s expertise in serving small and medium-sized businesses with competitive broadband data and voice communications services, Focal has decided that certain customer contracts that it acquired from OnSite are better served by eLink. As part of an agreement between Focal and eLink, these Focal customer contracts are being transferred to eLink. Both eLink and Focal are committed to ensure the continued provision of services to Focal customers and to the timely completion of this transaction. eLink will ensure a seamless transition of the purchased Focal customer accounts to eLink, which is reselling local and long distance services under agreements with Focal and other carriers.

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

1. **Names of the Parties to the Transaction:** The acquiring carrier is eLink Telecommunications, Inc., which is a wholly owned subsidiary of eLink Communications, Inc. eLink provides telecommunications services and holds several regulatory licenses including in New York State. Focal Financial Services, Inc. (“Focal Financial Services”) is a wholly owned subsidiary of Focal Communications Corporation. Customers acquired by this transaction will be served by eLink.

2. **Types of Telecommunications Services Provided to Affected Customers:** eLink will provide local exchange services, interexchange and interLATA services to affected customers.

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List A B C D E

ELINK COMMUNICATIONS INC

6708 WISCONSIN AVENUE BETHESDA MD 20815

T 240 744-1300 F 240 744-1390

WWW.ELINKCOMMUNICATIONS.COM

3. **Date of the Transfer:** eLink plans to notify Focal customers at least thirty (30) days prior to the date the transfer occurs. The parties intend to transfer the customers in approximately thirty (30) days from the date of this letter.

4. **Certification of Compliance:** eLink'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.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Charles Kallenbach", written in a cursive style.

Charles Kallenbach
General Counsel

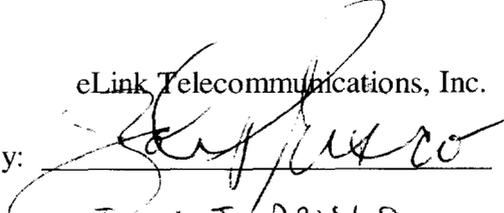
ATTACHMENT A

CERTIFICATION OF ELINK TELECOMMUNICATIONS, INC.

On behalf of eLink Telecommunications, Inc. ("eLink"), 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. eLink will comply with the required FCC procedures for the transfer of certain Focal Financial Services, Inc. ("Focal") customer's to eLink, including the provision of advanced written notice to all affected Focal customers.

eLink Telecommunications, Inc.

By: 

Name: JOHN J. PRISO

Title: CHAIRMAN AND CEO

Date: 12-20-01

Subscribed and sworn to before me

this 20th day of December, 2001.



CHARLES H. N. KALLENBACH
Notary Public, State of Maryland
County of Montgomery
My Commission Expires November 26, 2005

ATTACHMENT B

Dear Valued Focal Customer:

Your current communications carrier, Focal Communications Corporation, has agreed to sell certain assets to eLink Communications, Inc., the parent company of eLink Telecommunications, Inc. (“eLink”).

eLink recently completed the acquisition of selected assets of OnSite Access, Inc., your original communications carrier. eLink, with headquarters in Bethesda, MD, and with extensive operations in the New York metropolitan area, is an established provider of broadband data and voice communications services. Because of eLink’s expertise in serving small and medium-sized businesses, Focal has made arrangements to transfer your contract to eLink.

eLink will ensure that your voice telephone service is transitioned smoothly and directly to eLink without interruption. The actual transfer will occur after regulatory approval has been obtained, which we expect will occur within the next thirty (30) to sixty (60) days. Please note that during this transition:

- eLink will convert your service without interruption and you will incur no charge for this change.
- No orders to eLink are necessary to maintain your existing service.
- No changes will be made to your service during this conversion (i.e. long distance or service features). Focal long distance customers will now be served by eLink. If another carrier provides your long distance service, no changes will be made to your long distance selection.
- eLink will invoice your account directly at the same rates, terms and conditions under your existing contract with Focal.
- All past due charges will be owed to eLink. However, until the date of transition, Focal 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 Focal and/or your long distance provider. Your service will be converted to eLink unless you otherwise notify us within thirty (30) days from the date of this letter. eLink 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 eLink. eLink is not responsible for any outstanding complaints with Focal and these complaints should be directed to Focal.

Established in 1999, eLink provides comprehensive high-speed Internet access and voice services as well as hands-on technical support to small and mid-sized business customers in the New York and Washington, DC, metro areas. This focus allows us to dedicate ourselves to meeting your business communications needs.

As the General Manager for your market, I look forward to building on the service and support originally provided to you by Focal. If you would like more information on eLink, have any questions concerning this process or would like to speak to someone, please feel free to contact eLink at 1.877.4.ELINK.1 (1.887.435.4651) or email us at techsupport@elinkdc.com.

You may also visit our web site, www.elinkcommunications.com, to learn more about eLink products and services. We look forward to providing you with quality communications service.

Best regards,

GM's Name
General Manager