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August 27, 2002

RECEIVED

AUG 27 2002

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**BY HAND DELIVERY**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
c/o Vistronix, Inc.  
236 Massachusetts Avenue, N.E.  
Suite 110  
Washington, D.C. 20002

Re: Section 63.03 Application of OnFiber Carrier Services, Inc., OnFiber Carrier Services-Virginia, Inc., Telseon Carrier Services, Inc., and Telseon Carrier Services of Virginia, Inc., WC Docket No. 02-232; Request for Special Temporary Authority Pending Approval of Application

Dear Secretary Dortch:

On July 26, 2002, OnFiber Carrier Services, Inc., OnFiber Carrier Services-Virginia, Inc. ("OnFiber"), Telseon Carrier Services, Inc., and Telseon Carrier Services of Virginia, Inc. ("Telseon") (OnFiber and Telseon are hereinafter referred to as the "Joint Applicants") filed a section 63.03 application with the Commission seeking authority for a domestic transfer of control through the sale of certain telecommunications assets. On August 15, 2002, the Joint Applicants filed an amendment advising the Commission that the transaction for which approval was being sought had been consummated to avert an impending financial crisis, and requesting *nunc pro tunc* approval of their section 63.03 application. Because it is not entirely clear when the Commission might act on the Joint Applicant's application, the Joint Applicants hereby respectfully request special temporary authority ("STA") to transfer control of Telseon to OnFiber.

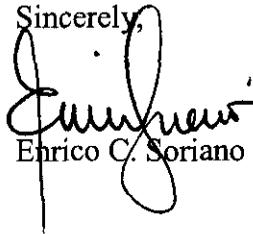
The Commission's rules authorize grant of STA in emergency situations. As the Joint Applicants stated in their verified amendment, which was filed on August 15, the Joint Applicants had to immediately close their transaction to save Telseon from an impending financial crisis, as well as to avoid a potential bankruptcy filing by Telseon. Because of the

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extraordinary nature of the circumstances surrounding the transaction, any delay would have seriously prejudiced the Joint Applicants and the public interest. Indeed, without Commission approval, the transaction could unravel, resulting in profound negative consequences. Accordingly, the Joint Applicants request special temporary authority to transfer control of Telseon to OnFiber while they await the Commission's approval of their section 63.03 application.

Enclosed for filing with the Commission are an original, a duplicate, and five copies of this letter. Kindly date-stamp the enclosed duplicate copy and return it to the delivering courier. If there are any questions concerning this letter, please call me at (202) 955-9866 or e-mail me at [esoriano@kelleydrye.com](mailto:esoriano@kelleydrye.com). Thank you in advance for your assistance.

Sincerely,  
  
Enrico C. Soriano

Enclosures

copy: William Dever (FCC) (by hand-delivery and facsimile)  
Tracey Wilson (FCC) (by hand-delivery and facsimile)