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September 14, 2009

COMPETITION POLICY DIVISION
WIRELINE COMPETITION BUREAU

William D. Dwyer

VIA OVERNIGHT DELIVERY
WITH CONFIRMATION COPY SENT VIA EMAIL

Marlene H. Dortch, Secretary
Federal Communications Commission
Wireline Competition Bureau Applications
PO Box 979091
St. Louis, MO 63197-9000

Re: Request for Special Temporary Authority to Transfer Certain Assets and Customers of Impact Telecom, Inc., to Liberty-Bell Telecom, LLC ("Applicants"), Pending and Subject to the Commission's Approval of Applicants' Application For Grant of Authority Pursuant to Section 214 of the Communications Act of 1934, as amended, and Section 63.04 of the Commission's Rules to Assign Certain Assets and Customers base of Impact Telecom, Inc., to Liberty-Bell Telecom, LLC (Docket No. WC 09-155)(the "Application").

Dear Ms. Dortch:

Liberty Bell-Telecom, LLC., ("Liberty") and Impact Telecom, Inc., ("Impact") (collectively, the "Applicants"), through their undersigned representatives and pursuant to Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and Section 63.04 of the Commission's Rules, 47 C.F.R. 63.04, hereby respectfully request expedited Special temporary Authority ("STA") for the approval of transfer of control of certain of Impact's assets, namely those customer accounts of customers located within the States of Colorado, Utah or New Mexico who currently receive phone service from Impact that is delivered by Qwest on an analog circuit and/or broadband service from Impact which is delivered by Qwest on ATM DSL facility using a third party Megahost for ISP services (collectively, the "Customer Accounts"). Applicants respectfully request that the Commission grant this STA requested as soon as possible, and not later than September 30, 2009, so that the transaction described below can close as scheduled.

As detailed in the underlying application, as previously filed with the Commission and attached hereto as Exhibit A, (the "Application"), Liberty is a non-dominant competitive carrier vested with domestic Section 214 authority. On August 14th, 2009, Liberty entered into an Asset Purchase Agreement with Impact, also a non-dominant competitive carrier, pursuant to which Liberty will purchase the Customer Accounts (the "Proposed Transaction"). Following closing of the Proposed Transaction, Liberty shall assume responsibility for providing uninterrupted, continuous service to the affected customers on the same terms, costs, and conditions as such affected customers currently enjoy.

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On August 14th, 2009, concurrent with the closing, the Applicants sent the completed Application to the Commission via overnight messenger to the Commission's lockbox facility maintained by U.S. Bank. The Application was received by U.S. Bank the morning of August 15th, 2009 (see UPS tracking information, attached as Exhibit B) and date stamped August 17th. The resulting Public Notice (attached as Exhibit C) was issued September 3, 2009 with a proposed issuance of authority pursuant to the streamlined application process of October 4, 2009.

The Proposed Transaction is scheduled to close no later than September 30, 2009; this closing date is essential if confusion, inconvenience or even interruption or termination of service to the affected customers is to be avoided. Impact currently provides services to approximately 4,600 customers. Impact and Liberty have already notified Impact's customers of the Proposed Transaction and of the transition date. Upon completion of the Proposed Transaction, Liberty shall provide those customers that elect not to switch to another carrier with the same services at the same price and with the same benefits, terms and conditions as those customers currently receive. The transition for Impact's customers will be transparent and seamless. Conversely, should the Proposed Transaction be delayed until October 4th, the result would be that, due to the billing regime imposed upon the Applicants by third party suppliers, the Affected Customers would be faced with a situation in which the following represent the only scenarios available to the Applicants:

- (a) Affected Customers would receive (i) an invoice for services to be provided by Impact for the full month of October on October 1st, (ii) an invoice for services to be provided by Liberty-Bell for the full month of October on October 4th; (iii) a form through which the Affected Customers can request a refund of the pro-rata portion of the bill paid to Impact representing the portion of unused services from October 4th-October 31st, and (iv) a form through which the Affected Customers can request a refund of the pro-rata portion of the bill paid to Liberty representing the portion of unused services from October 1st through October 3rd; or
- (b) Interruption of service by Impact on September 30th and re-commencement of services by Liberty on October 4th.

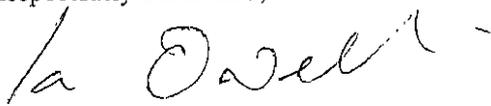
Accordingly, the grant of the relief requested herein will maximize the benefits to these customers and serve the interest of public convenience and necessity by ensuring that Impact's customers continue to receive both uninterrupted service and transparency and accuracy of billing. Obviously, it is a major

concern of the Applicants that requiring the Affected Customers to request a refund would impose an unfair burden both on the Affected Customers and the Applicants and increase the chances of an Affected Customer failing to request and receive a refund to which such Affected Customer is entitled.

In light of the foregoing, Applicants respectfully request grant of the STA as soon as possible, but in no event later than September 30, 2009. Applicants expressly acknowledge and agree that grant of this request will not prejudice action by the Commission on the underlying Application and that any authority granted pursuant to this request is subject to modification or cancellation upon notice, but without a hearing.

Should you have any questions or require further information, please do not hesitate to contact the undersigned.

Respectfully submitted,



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Federal Communications
Commission
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cc: MFerguson
Nigel Alexander
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Liberty Telecom FCC STA Request Letter Impact_Liberty DOC