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Our File No.: 4158260001

August 2, 2010

## VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, DC 20554

**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 U.S. TelePacific Corp. Pursuant to 47 C.F.R. § 64.1120(e)**

Dear Ms. Dortch:

On behalf of U.S. TelePacific Corp. ("TelePacific") and pursuant to Section 64.1120(e) of the Commission's Rules, 47 C.F.R. § 64.1120(e), this letters notifies the Commission of TelePacific's intent to acquire the retail customer base of O1 Communications, Inc. ("O1" and together with TelePacific, the "Parties").

Names of the Parties to the Transaction: The parties to the transaction are: U.S. TelePacific Corp., assignee, and O1 Communications, Inc., assignor.

Types of Telecommunications Services Provided to Affected Customers: The customers being transferred from O1 to TelePacific are small and medium business customers. These customers receive various voice and data services including local exchange, access and interexchange telecommunications services, as well as Internet access services and private IP network and managed services. All affected customers are located in California.

Date of the Transfer: The Parties anticipate that the affected O1 customers will become customers of TelePacific on or about October 1, 2010, or as soon as possible thereafter following receipt of regulatory approvals.

Certification of Compliance: Attached hereto as Attachment A is a certification from TelePacific 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 mailed to affected customers on August 2, 2010.

\* \* \* \*

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

Very truly yours,



Jean L. Kiddoo  
Brett P. Ferenchak

Counsel for U.S. TelePacific Corp.

Attachments

**ATTACHMENT A**

**Certification of TelePacific**

## CERTIFICATION

On behalf of U.S. TelePacific Corp. ("TelePacific"), 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 I have read the foregoing notification and the statements contained therein are true, complete and correct to the best of my knowledge. I further certify that, with respect to the transfer of the retail customers of O1 Communications, Inc. to TelePacific, TelePacific has complied with the Commission's requirements to provide advance customer notice in accordance with Section 64.1120(e)(3), with the obligations specified in that notice, and with other statutory and Commission requirements that apply to this streamlined process.

I certify under penalty of perjury that the foregoing is true and correct.

By:   
Name: Erich E. Everbach  
Title: Senior Vice President and General Counsel  
Date: August 2, 2010

**ATTACHMENT B**

**Sample Customer Notice**



August 2, 2010

**IMPORTANT MESSAGE REGARDING YOUR TELECOMMUNICATIONS SERVICES**

Dear Valued O1 Customer:

On August 2, 2010, O1 Communications, Inc. (O1) announced that a Definitive Agreement has been signed allowing U.S. TelePacific Corp. doing business as TelePacific Communications (TelePacific), to acquire O1's Small-and-Medium Business (SMB) customer base along with the network assets that support the SMB customers.

Subject to regulatory approval, anticipated on or after October 1, 2010, O1 expects to transfer your service and contract to TelePacific's responsibility; meaning that upon close, your service will be provided under your contract with O1 as transferred to TelePacific.

Please see the attached "Responses to your Frequently Asked Questions" for additional information regarding your rights and the transition process.

Throughout this process, your continued satisfaction is our top priority.

TelePacific Communications is a facility-based carrier headquartered in Los Angeles and a leading competitive carrier in California and Nevada, with customer care centers in Los Angeles and Stockton, California and Las Vegas, Nevada. In business since 1998, TelePacific provides services through a combination of TelePacific-owned switches and network infrastructure. Offering local and long distance voice, dedicated Internet access, private networking and data transport services as well as bundled voice and Internet solutions TelePacific manages more than 39,000 customer accounts with more than 1.1 million access lines.

O1 and TelePacific share a common focus on customer satisfaction. With TelePacific's strong record of industry leading customer service, and its local presence, TelePacific looks forward to establishing best practices from the companies combined SMB business to maintain or improve upon the service you have come to expect from O1. With a company culture based on customer satisfaction, rest assured, customer service is TelePacific's first priority. For more information, please visit TelePacific's website at [www.telepacific.com](http://www.telepacific.com).

If you have any immediate questions or concerns regarding this announcement and/or for Customer Support or changes to your service both before and after the transfer of service and contract to TelePacific please continue to contact Customer Support at 888-444-1111, Monday through Friday, 8:00am - 5:00pm.

We appreciate and value your business!

Sincerely,

A handwritten signature in black ink, appearing to read 'Brad Jenkins'.

Brad Jenkins  
President and CEO  
O1 Communications  
O1 Support: 888-444-1111

A handwritten signature in black ink, appearing to read 'Richard A. Jalkut'.

Dick Jalkut  
President and CEO  
TelePacific Communications  
TelePacific Support: 877-487-8722

Attached: Responses to your Frequently Asked Questions



## **Responses to your Frequently Asked Questions**

### **THE FOLLOWING INFORMATION IS GIVEN TO YOU PURSUANT TO FEDERAL COMMUNICATIONS COMMISSION RULES AND THE RULES AND REGULATIONS OF THE CALIFORNIA PUBLIC UTILITIES COMMISSION AND ADDRESS ANY ADDITIONAL QUESTIONS YOU MAY HAVE AT THE TIME OF THE ANNOUNCEMENT**

On August 2, 2010 O1 Communications, Inc. (O1) and U.S. TelePacific Corp., which does business as TelePacific Communications (TelePacific), announced an agreement which will allow TelePacific to acquire O1's Small-and-Medium Business (SMB) customer base along with the network assets that support the SMB customers.

TelePacific will assume operations responsibility for the O1 customer base following regulatory approval.

#### **1. About TelePacific Communications**

TelePacific Communications is a leading competitive telecommunications carrier that serves customers throughout California and Nevada. TelePacific is headquartered in Los Angeles and has customer care centers in Los Angeles and Stockton in California and Las Vegas in Nevada. In business since 1998, TelePacific provides services through a combination of TelePacific-owned switches and network infrastructure, including its own and leased robust fiber-optic network assets. Offering local and long distance voice, dedicated Internet access, private networking and data transport services as well as enhanced business services. TelePacific currently manages more than 39,000 SMB customer accounts with approximately 1.1 million access line equivalents in service. To find out more about TelePacific, visit [www.telepacific.com](http://www.telepacific.com).

#### **2. What are the benefits for O1 customers?**

- TelePacific has many enhanced business services to improve employee productivity from mobile connectivity, redundancy solutions for both voice and data and high bandwidth Ethernet access services to customer portals that allow you to pay your bill online, monitor your network, and submit and track trouble tickets as an example. Upon regulatory approval and the transfer of your contract with O1 to TelePacific, TelePacific will look to extend those services to you so your business can benefit, too.
- In addition to supporting your existing O1 locations in California, TelePacific is able to manage your communications needs in other locations in California and Nevada and wide area network globally.
- With redundant call centers in Stockton, Los Angeles and Las Vegas, you can count on at least the same level of service that you have come to expect from O1. Specializing in the small-to-medium enterprise (SMB) market, TelePacific focuses on providing a level of service to SMB accounts that is typically reserved for the largest corporate accounts.
- Like O1, TelePacific is local. It's a California-based company with employees and executives in Central California, the Bay Area, Southern California and Nevada, which ensures that you have account support available where you need it, when you need it.

#### **3. How will you communicate with me?**

You will receive written notifications in the mail, as well as updates in your bill. Watch your mail and check your monthly statement for this information. Updates will also be posted on O1's website until approval and on TelePacific's website after regulatory approval.

#### **4. Who do I call for billing questions, customer service or repair?**

Both before and after this transfer of service to TelePacific continue to contact the following:

- Customer Support: 888.444.1111;
- Billing Email: [billing@o1.com](mailto:billing@o1.com);
- Technical Support Email: [support@o1.com](mailto:support@o1.com);
- Your Account Manager

#### **5. Can I make changes to my service?**

Yes, continue to make your change requests as you have always done.

**6. Who do I call for new service?**

Either before and after this transfer of service to TelePacific contact your existing Account Executive, Account Manager and Authorized Agent or email [sales@o1.com](mailto:sales@o1.com).

**7. Will this transaction impact service, response times or network quality?**

No, you will experience at least the same level of quality, reliability, and response time you have come to expect from O1.

**8. Will my bill change?**

Prior to transaction close, you will continue to be invoiced from O1. After the transaction closes and your contract with O1 is transferred to TelePacific on a to- be-determined date, you will begin receiving invoices for service under your O1 contract directly from TelePacific.

**9. Will I keep my same phone numbers?**

Yes.

**10. I just ordered new or additional services from O1 that have not been installed or are in the process of being installed. What will happen with my order?**

Your services will still be installed by O1. There will not be any delay in the installation process as a result of this announcement.

**11. I just referred a new customer under O1's Customer Referral Reward Program. Will the program be honored by TelePacific?**

Following the closing of the transaction between O1 and TelePacific, TelePacific will honor all existing O1 Customer Referral Reward Program incentives and all referrals will be rewarded throughout the approval process and after TelePacific assumes control.

**12. Can I choose to stay with O1 or transfer to another provider?**

Your service will be transferred to TelePacific unless you choose another service provider prior to the transfer. While you always have the right to select another carrier, please be aware that any applicable early termination fees will apply if you cancel service prior to the expiration of an existing term agreement.

**13. What happens with my preferred carrier freeze, if I have one?**

All preferred carrier freezes will be lifted for purposes of completing the transfer of your O1 services to TelePacific. TelePacific will reinstate any preferred carrier freeze you may have with O1 if you currently receive local telephone service from O1. In the unlikely event that you currently receive local service from a provider other than O1 you will need to contact your existing or new local service provider to reinstate your preferred carrier freeze.

**14. Will there be any fees associated with the conversion to TelePacific?**

The transfer of your service to TelePacific should be seamless to you and O1 and TelePacific will not charge you to transfer your service to TelePacific. Please note that if you decide to choose a provider other than TelePacific, you may incur charges in connection with your change to that alternative provider in addition to any applicable early termination fees in accordance with your agreement with O1.

**15. Will my rates or services be changing?**

The transfer will not affect the rates, terms and conditions for your service. Any future changes will be made only in accordance with applicable contract and regulatory requirements.

**16. How will complaints be handled?**

Until the transfer is approved, O1 will continue to manage the network and bill for services. Although TelePacific cannot be responsible for complaints concerning matters that occur prior to the transfer of responsibility, TelePacific will be responsible for handling all complaints concerning service, billings and related matters after that date. The actual transfer of responsibility is tentatively scheduled for sometime after October 1, 2010.