November 25, 2013

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VIA ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20544

Re: Joint Application of MexTel Corporation, LLC d/b/a LifeTel and UTPhone, Inc. for Approval of Transfer of Assets and Associated Request for Special Temporary Authority, Docket No. 13-155

Dear Ms. Dortch:

MexTel Corporation, LLC d/b/a LifeTel ("LifeTel"), and UTPhone, Inc. ("UTPhone") (collectively, "the Applicants") through their undersigned counsel and pursuant to Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. §214, and Sections 63.03 and 63.04 of the Commission's Rules, 47 CFR §§ 63.03 and 63.04, hereby respectfully request that the Federal Communications Commission ("Commission") extend them the Special Temporary Authority ("STA") that was granted on June 18, 2013 and extended on August 16, 2013 and September 30, 2013 in the above-captioned case for a period of sixty (60) days. The pending Application involves a transaction involving the transfer of a portion of LifeTel's assets, including customer base to UTPhone (the "Transaction") because this Transaction occurred on December 8, 2011.[1]

As stated in the Application, this Transaction involves the transfer of customers of LifeTel to UTPhone. The customer transfer occurred according to customer area codes, with approximately two-thirds of the customers being transferred to TerraCom, Inc., and one-third being transferred to UTPhone.[2] After the transfer of customers from LifeTel to UTPhone and TerraCom, Inc., LifeTel ceased telecommunications operations in Oklahoma.[3]

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[1] Concurrently with this Request for Extension, a similar STA Request for Extension in the associated Application for the Transfer of Assets from MexTel and TerraCom, Inc. (Docket No. 13-154) will be filed.

[2] Approximately two-thirds of the customers were transferred to TerraCom, Inc., as described in the Application of MexTel and TerraCom, Inc. A small portion of the customer base was notified that MexTel was discontinuing service, and would not be transferred to either TerraCom, Inc. or UTPhone because neither were certified to provide

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The Transfer of LifeTel's customer base was effectuated pursuant to the approval of the Oklahoma Corporation Commission ("OCC"). The OCC reviewed and approved the customer notices. Further, customers were provided with advanced notice of this change in carrier, at least thirty (30) days in advance, and were also able to select a different carrier, other than the one that they were being transferred to, pursuant to the OCC's approval and without interruption of service.[4] All of the consumer safeguards in place to protect consumers were met in this instance, and there were no complaints from customers regarding the transfer. Thus, the underlying purpose of the Commission's rules regarding the transfer of customers has been met, *i.e.* LifeTel's customers were aware that their carrier was changing, the customer were given adequate notice of at least thirty (30) days in advance of this transfer, the transfer was completed pursuant to the review of a regulatory body, the OCC, which administers the Commission's slamming rules.[5]

The Applicants regret not seeking timely Commission approval of the Transaction. The parties and its outside counsel for the Transaction were apparently unaware of the obligation to request Commission approval of the transfer, presuming that OCC approval was sufficient. The Applicants have established new protocols to ensure that such an oversight does not occur in the future. Ultimately, the Transaction has had a positive impact, in that the LifeTel customers maintained their service at the same rates, terms, and conditions. The LifeTel customers were given ample notice of the Transaction, and the option of selecting another carrier for their service other than UTPhone.

Extension of this STA will serve the public interest. First, it will permit the continued service to the former LifeTel customers now being served by UTPhone. Further, it will allow the Applicants to come into compliance and facilitate the formal wind-down process for LifeTel, thereby reducing the administrative burden on the Commission.

The Applicants acknowledge that the extension of this STA will not prejudice any action the Commission may take on the Application, and that once extended, the STA may be revoked on the Commission's own notice, without hearing. The Applicants further acknowledge that the

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local exchange service in those customers' service area. The notices to these customers, primarily in the operating area of Windstream, specified that LifeTel was discontinuing service and those customers would need to obtain service from a different carrier.

[3] LifeTel is still an active corporate entity, however, is no longer licensed as a competitive local exchange carrier and has not been operational since December 8, 2011.

[4] *See* 47 CFR §64.1120(e).

[5] The Commission defers slamming complaints in Oklahoma to the OCC, pursuant to §64.1110(a) of the Commission's Rules. 47 C.F.R. §64.1110(a). *See* http://www.fcc.gov/encyclopedia/slamming-states-administering-slamming-rules#Oklahoma (reviewed May 8, 2013)

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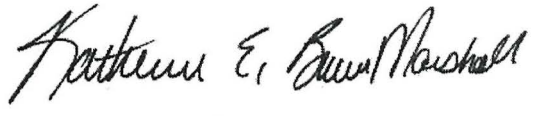
extension of the STA will neither preclude nor dictate the scope of any enforcement action related to the underlying Transaction.

Thank you for your assistance in this matter and please do not hesitate to contact the undersigned if you have any questions or concerns.

Respectfully submitted,



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