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MEMORANDUM

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Arizona Corporation Commission

DOCKETED

APR - 6 2005

TO: Docket Control

FROM: Ernest G. Johnson
Director
Utilities Division

EA for EGJ

DOCKETED BY	<i>KA</i>
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THRU: Wilfred Shand, Jr. *WCS*
Manager, Telecommunications & Energy Section
Utilities Division

Matthew Rowell *MR*
Chief, Telecommunications & Energy Section
Utilities Division

DATE: April 6, 2005

RE: IN THE MATTER OF THE APPLICATION OF TELIGENT SERVICES, INC. NOTIFICATION OF A PROPOSED TRANSACTION WHEREBY TELIGENT SERVICES, INC. WILL TRANSFER ITS COMMERCIAL LONG DISTANCE CUSTOMER BASE AND ASSOCIATED CUSTOMER ACCOUNT INFORMATION TO STARTEC GLOBAL LICENSING COMPANY (DOCKET NOS. T-03761A-04-0710 AND T-03794A-04-0710)

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On September 30, 2004, Startec Global Licensing company ("Startec") and Teligent Services, Inc. ("Teligent") filed a Joint Notification of Proposed Transfer of Long Distance Customer Accounts ("Notification"). Teligent indicated that it intends to transfer its long distance customer base and associated customer account information to Startec.

On October 29, 2004, Staff filed a Staff Report recommending approval of the transfer of Teligent's long distance customer base to Star Tec and a waiver of the Commission's Slamming and Cramming rules, Arizona Administrative Code ("A.A.C.") R14-2-1904 and R14-2-1905.

On February 23, 2005, Teligent filed, in this docket, a notification of its voluntary surrender of its CC&N to provide local and long distance telecommunications services in the State of Arizona.

On March 23, 2005, the Hearing Division issued a Procedural Order ordering Staff to respond to Teligent's February 23, 2005 filing to voluntarily surrender its CC&N to provide local and long distance services in the State of Arizona. In addition to its recommendation regarding the cancellation of Teligent's Arizona CC&N, the Procedural Order requires Staff to

determine whether Teligent's request satisfies the requirements of A.A.C. R14-2-1107 and determine "... the manner in which Teligent has either satisfied the requirements set forth in A.A.C. R14-2-1107 or whether and why any of the provisions of that rule should be waived and why."

Because the transfer of long distance customers from Teligent to Startec was effectuated on December 30, 2004, Staff does not believe the portions of A.A.C. R14-2-1107 which pertain to customer notification (Section A) are applicable. However, Staff does not believe Teligent has complied with A.A.C. R14-2-1107(B) which requires legal notice of its application to surrender its CC&N to be published in all counties affected by the application. Because Staff believes Teligent has not complied with this rule, Staff does not recommend approval of Teligent's application to surrender its CC&N in Arizona at this time.

Staff has issued a Data Request requesting that Teligent submit a copy of the published legal notice of its application to surrender its CC&N in the State of Arizona as is described in A.A.C. R14-2-1107(B). Staff has given Teligent 30 days to respond to this Data Request. Staff requests that this matter be suspended until June 1, 2005 at which time Staff will make a subsequent recommendation.

EGJ/AJL/

Originator: Adam Lebrecht

Original and Thirteen copies

Service List for: Teligent Services, Inc. and Startec Global Licensing Company
Docket Nos. T-03761A-04-0710 AND T-03794A-04-0710

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