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ARIZONA CORPORATION COMMISSION

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2008 FEB -1 P 1:43

February 1, 2008

ARIZONA CORPORATION COMMISSION  
DOCKET CONTROL

Thomas Campbell  
Michael Hallam  
40 North Central Avenue  
Phoenix, Arizona 85004-4429

RE: Staff's Letter of Insufficiency and First Set of Data Requests to Americatel Corporation and Startec Global Operating Company  
Docket Nos. T-03517A-07-0633 and T-20522A-07-0633

Dear Mr. Campbell and Mr. Hallam:

On November 7, 2007, Startec Global Operating Company ("Startec") and Americatel Corporation ("Americatel") (collectively, "Applicants") filed for a *pro forma* corporate restructuring involving the merger of the Applicants, a Waiver from Arizona Administrative Code ("A.A.C.") rules R14-2-1901 to R14-2-1913, and an Application to cancel a Certificate of Convenience and Necessity ("CC&N"). The Application submitted is not sufficient. This data request lists the information Staff needs to complete its analysis of your Application.

**Please answer each data request and identify by name, title, e-mail address, telephone number and address each person providing information that forms the basis for the response provided.**

These data requests are continuing, and your answers or any documents supplied in response to these data requests should be supplemented with any additional information or documents that come to your attention after you have provided your initial responses.

Please provide Docket Control with the information being requested within **10 days** of the date of this letter. Mail an Original plus 15 copies to Docket Control, Arizona Corporation Commission, 1200 W. Washington Street, Phoenix, AZ 85007-2927. If no response is received, Staff will recommend that the Application be terminated. If the Application is terminated, the Applicants cannot merge, obtain a waiver to A.A.C R14-2-1901 to R14-2-1913, or cancel Startec's CC&N in Arizona, until such time as a new application is filed with and approved by the Commission.

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Remember that information submitted will be made a part of the public record, including financial statements. Any information designated as confidential will not be accepted by Docket Control. If you have any questions, please contact me at (602) 542-0856. Thank you for your prompt response to this request.

Respectfully,



John F. Bostwick  
Administrative Services Officer II  
Utilities Division

Enclosure(s)

CC: Docket Control (Original and Fifteen Copies)

STAFF'S FIRST SET OF DATA REQUESTS TO  
AMERICATEL CORPORATION AND STARTEC GLOBAL OPERATING COMPANY  
DOCKET NOS. T-03517A-07-0633 AND T-20522A-07-0633

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Please make sure each numbered item and each part of the item is answered completely. If it is not, Staff will resubmit the numbered item(s) and/or part(s) of the item in a following data request. Also, please make sure all information you provide in response to item(s) concerning this Application, including Staff's data requests, is updated and current. If you need to update your response to any item(s)/request(s), please reference the item(s)/request(s) and provide your current response(s). In order for Staff to continue with its review of this application, the following information must be submitted:

- JFB1-1 Please confirm that Startec does not have a performance bond on file with the Commission.
- JFB1-2 Please confirm that Startec does not and has never has collected advances, deposits, and/or prepayments from its customer. If it has, indicate the date(s) and outstanding amount of advances, deposits and/or prepayments held by Startec from its customers. Also, indicate the date(s) refunds were made to its customers.
- JFB1-3 Please indicate the number of customers Americatel will have when Startec customers are transferred from Startec to Americatel.
- JFB1-4 How many of Startec's customers have been transferred to Americatel as of this date? What is the date the last Startec customer has been or will be transferred to Americatel? How many of Startec' customers have been or will be transferred to telecommunications carriers other than Americatel? Please indicate the date and number of Startec's customers that were transferred to telecommunications carriers other than Americatel. Indicate the name of the telecommunications carriers the customers were transferred to and the number of customers transferred. Indicate the date that Startec has stopped or will stop providing service to its customers?
- JFB1-5 Please indicate the number of Startec customers that had a contract with Startec and were transferred to Americatel and/or other carriers.
- JFB1-6 Did Startec make an indirect charge, restrict, and/or penalize its customers whose services were transferred to telecommunications carriers other than Americatel? If so, indicate the amount of the indirect charged and the number of Arizona customers impacted by the indirect charge for the transfer. **(NOTE: Indirect charges may be applied to a customer that has a contract with an Applicant. Depending on the terms and conditions of the contract, there could be charges, restrictions, and/or penalties such as "early termination" that may be applied to a customer who transfers to another carrier.)**
- JFB1-7 Please confirm that Startec customers were notified of Startec's discontinuance of certificated service and transfer its customer base to Americatel on November 6, 2007. Please provide a copy of any other notification letter(s) sent to the affected customers.

STAFF'S FIRST SET OF DATA REQUESTS TO  
AMERICATEL CORPORATION AND STARTEC GLOBAL OPERATING COMPANY  
DOCKET NOS. T-03517A-07-0633 AND T-20522A-07-0633

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- JFB1-8 Please indicate if or when a list of alternative utilities (carriers) was given to Startec's customers whose certificated services were being discontinued and/or customers were being transferred to another carrier. If a list of alternative carriers was not provided or will not be provided, please explain why.
- JFB1-9 How many of Startec's customers have not selected a resold interexchange service provider as of the date of your reply to this data request?
- JFB1-10 Please provide proof that either Startec or Americatel has met the requirements of the Federal Communications Commission's ("FCC") rules for streamlined approval of the transfer of customer base. Documentation sent to the FCC and the advance subscriber notice containing seven required elements should be provided as proof of compliance to FCC's rules. Refer to customer notification 47 C.F.R. § 64.1120.
- JFB1-11 Startec has a "Compliance Due" item pending before the Commission in Docket No. T-020522A-07-0161. **(NOTE: In Decision No. 69573, Startec Global Operating Company ("SGOC") was ordered to file its (refers to Startec Global Licensing Company ("SGLC")) tariff to address SGOC name change within 30 days of an Order in this matter. The tariff filed was not Startec Global Licensing Company's tariff showing a name change. Also, the filed tariff filed did not mirror the tariff currently on filed for SGLC.)** Please be advised name change filings are considered a NEW matter. The Commission will need to an Original and 13 copies. SGOC needs to file SGLC's tariff to address SGOC's name change only. Only the name of the Company should be changed on the tariff. No tariff changes should be made to SGLC's Table of Contents, Check Sheet, Explanation of Symbols, Application of Tariff, Rules and Regulations, the date of Issue or the Effective date. Proper filing the of SGOC's tariff will help to expedite this Application and help to ensure Commission approval of your request.
- JFB1-12 Please identify the tariff that will be used to bill Startec customers when Startec customers are transferred to Americatel. Also, please explain what Americatel means by "...Americatel will assume the customers and operations of Startec but will continue to use the Startec brand name for those customers, possibly on a co-branded basis".
- JFB1-13 Americatel has two "Compliance Due" items pending before the Commission in Docket Nos. T-03517A-06-0586 and T-03517A-98-0089. Please contact the Compliance and Enforcement Section of the Utilities Division of the Arizona Corporation Commission to determine the items and/or issues that need to be addressed or completed to close Docket Nos. T-03517A-06-0586 and T-03517A-98-0089. Closure of these items will help to expedite this Application and help to ensure Commission approval of your request.