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December 27, 2001

Mr. Thomas Dorman  
Executive Director  
Kentucky Public Service Commission  
211 Sower Blvd.  
Frankfort, KY 40602-0615

RECEIVED

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PUBLIC SERVICE  
COMMISSION

Re: Essex Communications, Inc. d/b/a eLEC Communications, and  
Adelphia Business Solutions, Inc. and its Operating Subsidiaries  
CC Docket 00-257 - Transfer of Customer Subscriber Base

Dear Mr. Dorman:

In accordance with the requirements of 47 CFR 64.1120 as promulgated in CC Dockets 00-257 and 94-129 (FCC 01-156), Essex Communications, Inc. d/b/a eLEC Communications ("eLEC") the acquiring telecommunications carrier, is submitting this correspondence as notification to the Commission of an impending partial transfer of a customer subscriber base.

The parties to this transaction include Adelphia Business Solutions of Kentucky, Inc. ("Adelphia") and eLEC. Both eLEC and Adelphia offer resale local exchange service and interexchange telecommunications services, including direct dial outbound service, inbound toll-free service, travel card service and operator assisted services. Adelphia also operates as a facilities-based carrier. Adelphia enters many of its market initially on a resale basis, and then transitions the resale customers to its own facilities as its network is built into these markets. Due to a variety of factors, Adelphia will not be constructing facilities into some areas where it currently has resale customers. As Adelphia's focus is on facilities-based services, Adelphia proposes the relinquishment and transfer of a number of its resale customers, while maintaining its facilities-based end users and those resale customers which it has the ability to convert to facilities-based end users. To the extent applicable, the types of telecommunication services to be provided by eLEC following the transfer are local, intraLATA Toll, interLATA Toll, and/or state-to-state long distance services. The anticipated transfer date is February 21, 2001; however, this date is subject to the necessary regulatory approvals of the state public utility commission. All notice obligations required by the Federal Communications Commission ("FCC") and state public utility commissions to the affected subscribers will satisfy the thirty (30) days notice prior to transfer requirement. [64.1120(e)(1) and (e)(3)].

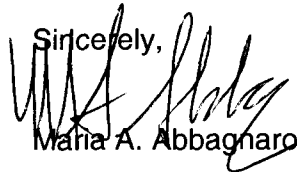
Mr. Thomas Dorman  
CC Docket – 00-257, Transfer of Customer Subscriber Base  
December 27, 2001  
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Prior to implementing these changes, the transferring companies will send the required notification to all affected customers not less than thirty (30) days prior to the transfer date. This notification will advise customers of the rates, terms, and conditions of the service(s) to be provided by the acquiring carrier, the fact that the customer will not be responsible for any carrier charges associated with the transaction, the customer's right to choose another carrier, a toll-free telephone number for inquiries about the transfer, the fact that a preferred carrier freeze will not prevent this transfer, that customers that desire a different carrier must choose a new carrier before the transfer date, and if the acquiring carrier will be responsible for the resolution of outstanding complaints levied against the selling/transferring carrier. As required by FCC rules, attached are copies of the subscriber notification letter to be provided to Adelphia customers in Kentucky (Exhibit A) and the letter notification in CC Docket No. 00-257 provided to the FCC (Exhibit B).

Please feel free to me at (203) 229-2402 if you have any questions regarding this notification.

Sincerely,



Maria A. Abbagnaro

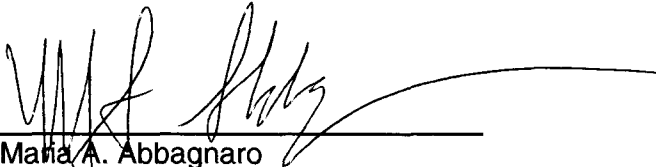
Encl.: Appendix A - B

**CERTIFICATION**

This is to certify that a copy of the foregoing Notification of Transfer of Customer Subscriber Base involving Essex Communications, Inc. d/b/a eLEC Communications and Adelphia Business Solutions, Inc. was sent via overnight delivery on December 28, 2001, to:

Mr. Thomas Dorman  
Executive Director  
Kentucky Public Service Commission  
211 Sower Blvd.  
Frankfort, KY 40602-0615

Terry Romine  
Director Legal & Regulatory Affairs  
Adelphia Business Solutions  
One North Main Street  
Coudersport, PA 16915-1630

  
\_\_\_\_\_  
Maria A. Abbagnaro

**EXHIBIT A**



## DRAFT

Dear Customer,

Adelphia Business Solutions is pleased to announce a wide-ranging Agreement it has reached with eLEC Communications. As a part of the Agreement, effective February 22<sup>nd</sup>, 2002, all services which have been provided by Adelphia will be billed and serviced by eLEC.

The reason for this transfer relates to Adelphia's decision to focus on other portions of its operations. This Agreement will ensure that Adelphia's customers continue to receive all features and services, at the same terms, conditions and rates. Adelphia will continue to be responsible for resolving any complaints received prior to the transfer and can be contacted at 877-279-3900.

eLEC Communications is a total telecommunications service provider licensed to provide telephone service in over forty states. eLEC offers a full line of telecommunications products, including local, long distance, calling card, voice mail, and Internet services. With over 51,000 customer lines in service, eLEC is well suited to meet your telecommunications needs.

Please be assured that your service will not be interrupted and that eLEC will be responsible for any charges associated with this transfer. As always, you have the right to select another local exchange carrier and may do so prior to the transfer date. If you have a preferred carrier freeze on your account and have not made an alternate carrier selection prior to the transfer date, you will be migrated to eLEC and will continue to enjoy the same services previously received from Adelphia.

eLEC looks forward to servicing your telecommunications needs of the future. Of course, if you have any questions regarding this information or eLEC services, please contact eLEC at 1- 888-389-1400.

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Paul Riss  
CEO  
eLEC Communications

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Brennan Asplen, Jr.  
Director of Business Operations  
Adelphia Business Solutions

**EXHIBIT B**

Maria A. Abbagnaro, Esq.  
Director of Regulatory Affairs  
Tel.: (203) 229-2402  
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[mabbagnaro@elec-corp.com](mailto:mabbagnaro@elec-corp.com)

December 27, 2001

Ms. Magalie Roman Salas, Secretary  
Federal Communications Commission  
Office of the Secretary  
445-12th Street, SW  
Washington, DC 20024

Re: Essex Communications, Inc. d/b/a eLEC Communications, and  
Adelphia Business Solutions, Inc. and its Operating Subsidiaries  
CC Docket 00-257 - Transfer of Customer Subscriber Base

Dear Ms. Salas:

In accordance with the requirements of 47 CFR 64.1120 as promulgated in CC Dockets 00-257 and 94-129 (FCC 01-156), Essex Communications, Inc. d/b/a eLEC Communications ("eLEC") the acquiring telecommunications carrier, is submitting this correspondence as notification to the Commission of an impending partial transfer of a customer subscriber base.


The parties to this transaction include Adelphia Business Solutions Operations, Inc.; Adelphia Business Solutions of Louisiana, LLC; Adelphia Business Solutions Operations of Kentucky Inc.; Adelphia Business Solutions of South Carolina, Inc.; Adelphia Business Solutions of Jacksonville, Inc; and Adelphia Business Solutions Investment, LLC, (referred to collectively as "Adelphia") and eLEC. Both eLEC and Adelphia offer resale local exchange service and interexchange telecommunications services, including direct dial outbound service, inbound toll-free service, travel card service and operator assisted services. Adelphia also operates as a facilities-based carrier. Adelphia enters many of its market initially on a resale basis, and then transitions the resale customers to its own facilities as its network is built into these markets. Due to a variety of factors, Adelphia will not be constructing facilities into some areas where it currently has resale customers. As Adelphia's focus is on facilities-based services, Adelphia proposes the relinquishment and transfer of a number of its resale customers, while maintaining its facilities-based end users and those resale customers which it has the ability to convert to facilities-based end users. To the extent applicable, the types of telecommunication services to be provided by eLEC following the transfer are local, intraLATA Toll, interLATA Toll, and/or state-to-state long distance services.

The anticipated transfer date is February 21, 2001; however, this date is subject to the necessary regulatory approvals of state public utility commissions in the nine states in which affected consumers reside. Therefore, the final transfer date will be February 21, 2001 or later. All notice obligations required by the Federal Communications Commission ("FCC") and state public utility commissions, to the affected subscribers will satisfy the thirty (30) days notice prior to transfer requirement. [64.1120(e)(1) and (e)(3)].

Prior to implementing these changes, the transferring companies will send the required notification to all affected customers not less than thirty (30) days prior to the transfer date. This notification will advise customers of the rates, terms, and conditions of the service(s) to be provided by the acquiring carrier, the fact that the customer will not be responsible for any carrier charges associated with the transaction, the customer's right to choose another carrier, a toll-free telephone number for inquiries about the transfer, the fact that a preferred carrier freeze will not prevent this transfer, that customers that desire a different carrier must choose a new carrier before the transfer date, and if the acquiring carrier will be responsible for the resolution of outstanding complaints levied against the selling/transferring carrier. As required by FCC rules, attached is a copy of the subscriber notification letter to be provided to Adelphia customers in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee (Exhibit A).

Please feel free to me at (203) 229-2402 if you have any questions regarding this notification.

Sincerely,

  
Maria A. Abbagnano

Encl.: Exhibit A



**EXHIBIT A**



## DRAFT

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Please be assured that your service will not be interrupted and that eLEC will be responsible for any charges associated with this transfer. As always, you have the right to select another local exchange carrier and may do so prior to the transfer date. If you have a preferred carrier freeze on your account and have not made an alternate carrier selection prior to the transfer date, you will be migrated to eLEC and will continue to enjoy the same services previously received from Adelphia.

eLEC looks forward to servicing your telecommunications needs of the future. Of course, if you have any questions regarding this information or eLEC services, please contact eLEC at 1- 888-389-1400.

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Paul Riss  
CEO  
eLEC Communications

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Brennan Asplen, Jr.  
Director of Business Operations  
Adelphia Business Solutions

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Ms. Magalie Roman Salas, Secretary  
Federal Communications Commission  
Office of the Secretary  
445-12th Street, SW  
Washington, DC 20554

Terry Romine  
Adelphia Business Solutions  
Director Legal & Regulatory Affairs  
One North Main Street  
Coudersport, PA 16915-1630

  
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