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September 23, 2004

## VIA OVERNIGHT DELIVERY

Thomas Dorman, Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, KY 40602-8294

**RECEIVED**

SEP 24 2004

PUBLIC SERVICE  
COMMISSION

Re: Startec Global Licensing Company and Teligent Services, Inc. – Joint Notification of Proposed Transfer of Long Distance Customer Accounts

Dear Mr. Dorman:

Startec Global Licensing Company (“Startec”) and Teligent Services, Inc. (“Teligent”) (Startec and Teligent, together, the “Parties”), through the undersigned counsel, hereby notify the Kentucky Public Service Commission (“Commission”) of a proposed transaction whereby Teligent will transfer to Startec its commercial long distance customer base and associated customer account information (collectively, “Customer Assets”). The Parties are each authorized to provide intrastate interexchange services in the Commonwealth of Kentucky.

An original and ten (10) copies of this filings are enclosed. Kindly date-stamp and return the enclosed extra copy of this notice in the postage-paid envelope provided.

As detailed below, following consummation of the transaction, Startec will provide services to the former long distance customers of Teligent pursuant to Startec’s own authorization to provide such services in Kentucky. The transfer of assets, therefore, will not involve a transfer to Startec of Teligent’s Kentucky authorization (“Authorization”). The proposed transfer, moreover, will be virtually transparent to Teligent’s Kentucky customers in terms of the rates and terms and conditions of service that these customers currently receive.

Based on a review of Kentucky law, the Parties believe that Commission approval is not required to complete the transaction described herein. Accordingly, the Parties respectfully request that the Commission notify the Parties within thirty (30) days if it believes further filings are required with respect to the proposed transaction.

The Parties further state as follows:

**Description of the Parties**

**A. Startec Global Licensing Company**

Startec Global Licensing Company ("Startec") is a Delaware corporation with its principal place of business located at 1151 Seven Locks Road, Potomac, Maryland. Startec is a wholly owned subsidiary of Startec Global Communications Corporation, a Delaware corporation whose principal business is telecommunications.<sup>1</sup>

Startec is authorized in Kentucky to provide intrastate interexchange telecommunications services in Kentucky pursuant to a tariff filed with the Commission. Further information concerning Startec's technical, managerial and financial qualifications to provide service was submitted with its initial filing for authorization and is therefore a matter of public record. Startec respectfully requests that the Commission take official notice of that information and incorporate it by reference herein.

**B. Teligent Services, Inc.**

Teligent Services, Inc. ("Teligent") is a Delaware corporation with its principal place of business located at 460 Herndon Parkway, Suite 100, Herndon, Virginia. Teligent is a wholly owned subsidiary of Teligent, Inc., a privately held Delaware corporation whose principal business is telecommunications.<sup>2</sup> Teligent is authorized to provide telecommunications services in the Commonwealth of Kentucky pursuant to a tariff filed with the Commission.

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<sup>1</sup> Startec Global Communications Corporation, a holding company, holds no regulatory licenses from this or any other regulatory commission.

<sup>2</sup> Teligent, Inc., a holding company, holds no regulatory licenses from this or any other regulatory commission.

**Contact Information**

Correspondence, notices and communications regarding this filing should be directed to the Parties' respective counsel of record:

For Startec:

James Morgan  
Corporate Counsel  
Startec Global Communications Corporation  
1151 Seven Locks Road  
Potomac, MD 20854  
Tel: (301) 610-4646  
Fax: (240) 314-4219  
Email: [James.Morgan@startec.com](mailto:James.Morgan@startec.com)

and

For Teligent:

Catherine Wang  
Grace R. Chiu  
Swidler Berlin Shereff Friedman, LLP  
3000 K Street, NW, Suite 300  
Washington, DC 20007  
Tel: (202) 424-7500  
Fax: (202) 424-7647  
Email: [CWang@swidlaw.com](mailto:CWang@swidlaw.com)  
[GRChiu@swidlaw.com](mailto:GRChiu@swidlaw.com)

**Description of the Transaction**

Startec has determined that the acquisition of Teligent's long distance customer base will enable it to expand its operations in a cost-efficient manner, thereby enhancing its competitive position and ability to provide integrated telecommunications services to customers in Kentucky as well as other states. To that end, Startec and Teligent have entered into an agreement whereby Startec will acquire Teligent's Kentucky long distance customer base, including associated customer account information (the "Kentucky Customers"). The proposed transaction does not involve the transfer of network facilities or telecommunications equipment in the Commonwealth of Kentucky.

To ensure a seamless transition, the Kentucky Customers will be given not less than 30 days prior written notice of the proposed transfer, in compliance with the rules of the Federal

Communications Commission ("FCC") governing carrier-to-carrier customer base transfers.<sup>3</sup> A copy of the customer notice is attached hereto.

The Parties emphasize that the proposed transaction does not involve a transfer to Startec of Teligent's Kentucky Authorization. Following closing, the services that the Kentucky Customers currently receive from Teligent will be provided by Startec pursuant to the authorization granted to Startec, as referenced above. Startec will amend its Kentucky tariff, to the extent necessary, to include Teligent's applicable rates and charges for the services that the Kentucky Customers currently receive from Teligent. As a result, the proposed asset transfer will be virtually transparent to the Kentucky Customers in terms of the rates and terms and conditions of service that these customers currently receive.

### **Public Interest Considerations**

The proposed asset transfer will serve the public interest by enhancing competitive choices for Kentucky consumers. Specifically, the proposed transaction will benefit Kentucky consumers by accelerating Startec's ability to offer a broad range of telecommunications products and services. By enhancing Startec's ability to provide innovative and diversified services, and to expand its operations in a cost-effective manner, the asset transfer will enable Startec to strengthen its competitive position. These enhancements in turn will ultimately inure to the benefit of Kentucky consumers, by promoting innovation and furthering competition among providers in the Kentucky telecommunications marketplace. Kentucky consumers therefore will ultimately benefit from the proposed transfer of Teligent's assets to Startec.

As discussed above, the Kentucky Customers will be given prior written notice of the transfer of their account to Startec, in compliance with the FCC's customer notice rules. Following the transfer, the Kentucky Customers will continue to receive services which will be consistent with the quality of services currently provided by Teligent and which will be supported by Startec's experienced and well-qualified management team. As a result, the proposed transfer will be virtually transparent to the Kentucky Customers in terms of the rates and terms and conditions of service that these customers currently receive. The public interest therefore will be served by the transaction.

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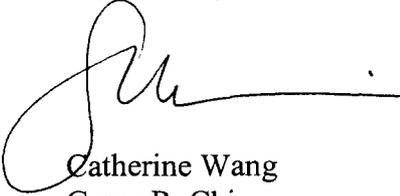
<sup>3</sup> 47 C.F.R. § 64.1200(e).

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**Conclusion**

The Parties respectfully notify the Commission of their intent to consummate this transaction as soon as possible. The Parties, through their above-named representatives stand ready and willing to provide the Commission with additional information, should the Commission have any questions concerning this matter.

Respectfully submitted,



Catherine Wang  
Grace R. Chiu

Counsel to Teligent Services, Inc.

cc: James Morgan (Startec)

Attachment

**CUSTOMER NOTICE LETTER**



**Teligent, Inc.**  
460 Herndon Parkway, Suite 100  
Herndon, Virginia 20170  
voice: 703.326.4400  
fax: 703.326.4500  
<http://www.teligent.com>

September 9, 2004

Dear Valued Customer,

Teligent Services, Inc. recently entered into an agreement with Startec Global Licensing Company to transfer its long distance operations to Startec. On or about November 25, 2004, Startec will provide the long distance services presently provided to you by Teligent.

There will be no service interruption associated with this transaction. You will continue to receive the same services, under the same terms and conditions, and at the same rates. You have the right to choose a different long distance carrier subject, however, to the terms and conditions of your existing agreement with Teligent. If you wish to change providers, please inform us by calling customer service at 1-888-411-1175 during business hours or by sending an email addressed to [customer.services@teligent.com](mailto:customer.services@teligent.com).

The actual transfer date will depend on when we receive the necessary federal and state approvals. Please note that all current Teligent customers will be transferred, including those who had arranged for a preferred carrier freeze. To arrange a new preferred carrier freeze, please contact your local service provider. The transfer should not result in any carrier-change charges by your local telephone company. If, however, such charges appear on your local phone bill as a result of the Teligent-Startec transfer, please request a credit or refund by calling customer service during business hours at 1-888-411-1175.

Teligent and Startec are committed to a seamless transfer. You will continue to contact customer service by calling 1-888-411-1175. In addition, Startec will work to resolve any complaints you may have filed or raised against Teligent prior to or during the transfer that have not been resolved by the time your account is transferred. Notice of any future changes in rates, terms, and conditions of service will be provided to you as required under your existing long distance agreement with Teligent or as required by law; however, no changes are anticipated.

In the coming months, you will be able to take advantage of a wide variety of additional services developed by Startec especially for business users, such as integrated local and long distance service and DSL Internet access. If you have additional questions, please contact Teligent customer service at 1-888-411-1175 or [customer.services@teligent.com](mailto:customer.services@teligent.com).

Sincerely,

A handwritten signature in black ink, appearing to read "P. Doyle".

Patrick F. Doyle  
President and  
Chief Operating Officer

A handwritten signature in black ink, appearing to read "A. Merchant".

A. Merchant  
Senior Vice President  
Startec

## VERIFICATION

I, Patrick F. Doyle, state that I am President and Chief Operating Officer of Teligent Services, Inc., a Party in the foregoing filing; that I am authorized to make this Verification on behalf of Teligent Services, Inc.; that the foregoing filing was prepared under my direction and supervision; and that the contents are true and correct to the best of my knowledge, information, and belief.

  
\_\_\_\_\_  
Patrick F. Doyle

President and Chief Operating Officer  
Teligent Services, Inc.

VERIFICATION

I, Jeffrey L. Poersch, state that I am Secretary of Startec Global Licensing Company, a Party in the foregoing filing; that I am authorized to make this Verification on behalf of Startec Global Licensing Company; that the foregoing filing was prepared under my direction and supervision; and that the contents are true and correct to the best of my knowledge, information, and belief.

  
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Jeffrey L. Poersch

Secretary  
Startec Global Licensing Company