

KELLEY DRYE & WARREN LLP

A LIMITED LIABILITY PARTNERSHIP

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CHICAGO, IL

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PARSIPPANY, NJ

BRUSSELS, BELGIUM

AFFILIATE OFFICES
MUMBAI, INDIA

RECEIVED
2007 JAN 29
T.R.A. DOCKET ROOM
A FACSIMILE
(202) 342-8451
www.kelleydrye.com

DIRECT LINE: (202) 342-8552

EMAIL: mconway@kelleydrye.com

January 26, 2007

VIA UPS

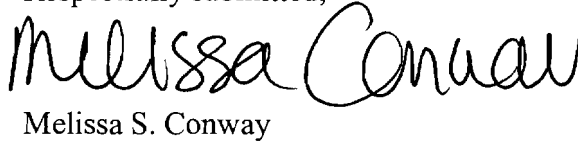
Sharla Dillon, Docket Room Manager
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243

Re: Application of Acceris Management and Acquisition LLC and First
Communications, LLC for Approval of an Asset Transfer –
Docket No. 06-00300 – Late-Filed FCC slamming notice

Dear Ms. Dillon:

Per the Commission's request in Data Request No. 1, the Applicants in the above-referenced docket hereby file a copy of the FCC slamming notice filed on January 25, 2007. Enclosed please find an original, a duplicate and thirteen (13) copies of this filing. Please date-stamp the duplicate and return it in the envelope provided. Should there be any questions regarding this matter, please contact Melissa Conway at (202) 342-8552.

Respectfully submitted,


Melissa S. Conway

Enclosures

cc: Jerry Kettles
Carlos Black

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AFFILIATE OFFICES
MUMBAI, INDIA

January 25, 2007

DATE STAMP & RETURN

BY HAND DELIVERY

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

FILED/ACCEPTED

JAN 25 2007

Federal Communications Commission
Office of the Secretary

Re: Notification of Transfer of Subscribers from Acceris Management and Acquisition LLC,
New Access Communications LLC and Choicetel LLC to First Communications, LLC -
CC Docket No. 00-257

Dear Secretary Dortch:

Pursuant to Section 64.1120 of the Commission's rules, 47 C.F.R. § 64.1120, First Communications, LLC ("First Communications"), by its attorneys, respectfully notifies the Commission that, in furtherance of a transaction whereby First Communications will acquire certain assets of Acceris Management and Acquisition LLC ("Acceris"), New Access Communications LLC ("New Access") and Choicetel LLC ("Choicetel"), First Communications intends to acquire all of the customers of Acceris, New Access and Choicetel. First Communications is complying with the Commission's rules and procedures governing compliance with section 258 of the Communications Act of 1934, as amended, including the provision of advanced written notice to all affected customers.

BY HAND DELIVERY

Marlene H. Dortch, Secretary

January 25, 2007

Page Two

In conformity with Commission rules, First Communications provides the following information:

Parties to the Transaction: The parties involved in the transaction are First Communications, LLC, the transferee, and Acceris Management and Acquisition LLC, New Access Communications LLC and Choicetel LLC, the transferors.

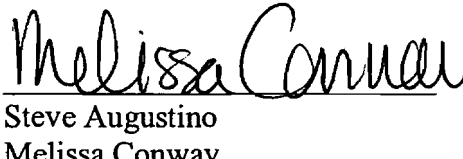
Types of Telecommunications Services Provided to the Affected Subscribers: First Communications will provide long distance resale services or local exchange services to the affected subscribers. Subscribers will not experience any change in their services, rates, terms or conditions of service.

Date of Transfer of the Subscribers to Acquiring Carrier: The transfer of subscribers to First Communications is anticipated to occur beginning on March 1, 2007, or as soon thereafter as the necessary regulatory approvals have been obtained.

Attached to this letter are (a) First Communications' certification of compliance with the requirements of the Commission governing transfers of subscribers, and (b) a copy of the customer notices, as required under the rules. The customer notices were mailed to customers beginning on January 19, 2007, and continuing through January 26, 2007.

Please contact the undersigned if you have any questions concerning this notification.

Respectfully submitted,


Steve Augustino

Melissa Conway
KELLEY DRYE & WARREN LLP
3050 K Street, NW, Suite 400
Washington, D.C. 20007
(202) 342-8552

Counsel for First Communications, LLC

Attachments

ATTACHMENT A

CERTIFICATION OF COMPLIANCE

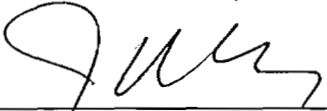
CERTIFICATION OF FIRST COMMUNICATIONS, LLC

The undersigned hereby certifies as follows:

1. I have read the foregoing document and hereby verify that the statements therein are true, complete and correct to the best of my knowledge.

2. In accordance with Section 64.1120(e) of the Commission's rules, 47 C.F.R. §64.1120, First Communications, LLC will comply with the required FCC procedures for the acquisition of the affected customers of Acceris Management and Acquisition LLC, New Access Communications LLC and Choicetel LLC, including the provision of advanced written notice to all affected subscribers.

FIRST COMMUNICATIONS, LLC

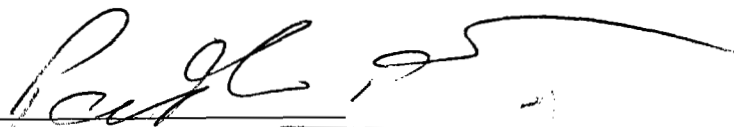
By: 

Name: Joe Morris

Title: Chief Operating Officer

Date: Jan 24, 2007

Sworn and subscribed to before me this
25th day of January 2007.


Notary Public

My Commission expires: PAT VITONE, Attorney at Law
Notary Public - State of Ohio
My Commission Has No Expiration Date
Sec. 147.03

ATTACHMENT B

CUSTOMER NOTICES



IMPORTANT INFORMATION REGARDING YOUR TELECOMMUNICATIONS SERVICE.

January 17, 2007

Dear :

We are happy to share some exciting news about your telecommunications services. We are proud to announce that, beginning on or about March 1, 2007, your telecommunications services, formerly provided by New Access Communications will be provided by First Communications.

Who is First Communications?

First Communications is a full service, facilities-based telecommunications provider located in Northeast Ohio. First Communications serves more than 130,000 business and residential customers across the U.S. with the majority located in Ohio, Michigan and Indiana. First Communications is a solid financial company with 23 straight quarters of profitable growth with a strong equity base, including a Fortune 100 company. For more information about First Communications, please visit the First Communications website www.firstcomm.com.

What does this mean?

First Communications is purchasing the proprietary rights to many of New Access Communications products, including long distance and circuits. The initial period of transition will involve your account migration to First Communications billing system. Therefore, once the migration is complete, First Communications will support your telecommunications needs.

What happens to my services?

Your services will not be affected during this transition. In fact, from the first day of the transitional period you will experience a superior quality of service led by First Communications veteran staff of Client Care management. During this transition, there will be **NO** change to your rates, service options, or the way that you dial and **NO** interruption in service. Please, also be assured that the operations of New Access Communications Network Operations Center (NOC) will remain fully functional during this period. Therefore, you will continue to be able to request changes to your service, submit trouble tickets and receive timely troubleshooting resolutions.

Any future changes in rates, terms and conditions of service will be done as prescribed by the Federal Communications Commission (FCC) and your applicable state regulatory commission.

Will I be charged for this change?

Absolutely **NOT!** There will be no charge or fee as a result of this change to First Communications. Please contact First Communications if a charge does appear on your bill. The only difference that you will notice will be the name of your carrier and the look of your new monthly bill.

When will this Change Occur?

No further action is required on your part. First Communications anticipates that the transfer will occur on or about March 1, 2007, provided that the necessary regulatory approvals have been obtained. Beginning on or after that date, First Communications will be providing your service and New Access Communications will no longer be your service provider. First Communications is

confident that you will find that remaining with us is the smart choice to meet your telecommunications needs; however, First Communications realizes that you have a choice of service providers, and you may choose another carrier at any point, subject to any applicable termination provisions in your contract.

All subscribers receiving this notice, even those who had arranged preferred carrier freezes through their local service providers on the service(s) involved in the transfer, will be transferred to First Communications, unless they select a different carrier before the transfer date. Existing preferred carrier freezes on the service(s) involved in the transfer will be lifted. You must contact your new local service provider (First Communications or other local service provider that you choose) to arrange a new freeze to protect you from unauthorized carrier changes after the transfer.

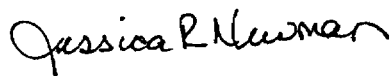
If you have any questions or concerns in regards to service needs, complaints or billing issues, you can also call First Communications at 1.800.274.1015 or prior to the transfer on or around March 1, 2007, call New Access Communications at 1.877.330.7937, and a representative will assist you.

Welcome to First Communications and thank you for your time.

Sincerely,

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

Ray Hexamer
Chief Executive Officer
First Communications

A handwritten signature in black ink, appearing to read "Jessica R. Newman".

Jessica R. Newman
Chief Executive Officer
New Access Communications



IMPORTANT INFORMATION REGARDING YOUR TELECOMMUNICATIONS SERVICE.

January 17, 2007

Dear :

We are happy to share some exciting news about your telecommunications services. We are proud to announce that, beginning on or about March 1, 2007, your telecommunications services, formerly provided by Choicetel will be provided by First Communications.

Who is First Communications?

First Communications is a full service, facilities-based telecommunications provider located in Northeast Ohio. First Communications serves more than 130,000 business and residential customers across the U.S. with the majority located in Ohio, Michigan and Indiana. First Communications is a solid financial company with 23 straight quarters of profitable growth with a strong equity base, including a Fortune 100 company. For more information about First Communications, please visit the First Communications website www.firstcomm.com.

What does this mean?

First Communications is purchasing the proprietary rights to many of Choicetel's products, including long distance and circuits. The initial period of transition will involve your account migration to First Communications billing system. Therefore, once the migration is complete, First Communications will support your telecommunications needs.

What happens to my services?

Your services will not be affected during this transition. In fact, from the first day of the transitional period you will experience a superior quality of service led by First Communications veteran staff of Client Care management. During this transition, there will be **NO** change to your rates, service options, or the way that you dial and **NO** interruption in service. Please, also be assured that the operations of Choicetel Network Operations Center (NOC) will remain fully functional during this period. Therefore, you will continue to be able to request changes to your service, submit trouble tickets and receive timely troubleshooting resolutions.

Any future changes in rates, terms and conditions of service will be done as prescribed by the Federal Communications Commission (FCC) and your applicable state regulatory commission.

Will I be charged for this change?

Absolutely **NOT!** There will be no charge or fee as a result of this change to First Communications. Please contact First Communications if a charge does appear on your bill. The only difference that you will notice will be the name of your carrier and the look of your new monthly bill.

When will this Change Occur?

No further action is required on your part. First Communications anticipates that the transfer will occur on or about March 1, 2007, provided that the necessary regulatory approvals have been obtained. Beginning on or after that date, First Communications will be providing your service and Choicetel will no longer be your service provider. First Communications is confident that you will

find that remaining with us is the smart choice to meet your telecommunications needs; however, First Communications realizes that you have a choice of service providers, and you may choose another carrier at any point, subject to any applicable termination provisions in your contract.

All subscribers receiving this notice, even those who had arranged preferred carrier freezes through their local service providers on the service(s) involved in the transfer, will be transferred to First Communications, unless they select a different carrier before the transfer date. Existing preferred carrier freezes on the service(s) involved in the transfer will be lifted. You must contact your new local service provider (First Communications or other local service provider that you choose) to arrange a new freeze to protect you from unauthorized carrier changes after the transfer.

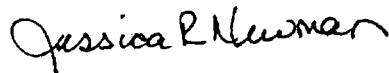
If you have any questions or concerns in regards to service needs, complaints or billing issues, you can also call First Communications at 1.800.274.1015 or prior to the transfer on or around March 1, 2007, call ChoiceTel at 1.877.330.7937, and a representative will assist you.

Welcome to First Communications and thank you for your time.

Sincerely,



Ray Hexamer
Chief Executive Officer
First Communications



Jessica R. Newman
Chief Executive Officer
ChoiceTel



IMPORTANT INFORMATION REGARDING YOUR TELECOMMUNICATIONS SERVICE.

January 17, 2007

Dear :

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Who is First Communications?

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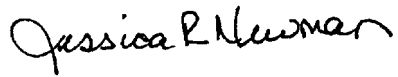
If you have any questions or concerns in regards to service needs, complaints or billing issues, you can also call First Communications at 1.800.274.1015 or prior to the transfer on or around March 1, 2007, call Acceris Communications at 1.800.569.8700, and a representative will assist you.

Welcome to First Communications and thank you for your time.

Sincerely,



Ray Hexamer
Chief Executive Officer
First Communications



Jessica R. Newman
Chief Executive Officer
Acceris Management and Acquisition LLC
d/b/a Acceris Communications