

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

Joint Application of Acceris Management and)
Acquisition, LLC, New Access Communications, LLC)
and First Communications, LLC for (i) Approval of the)
Transfer of Assets, Including Customers, of Acceris)
Management and Acquisition, LLC and New Access) **Case No. TM-2007-0203**
Communications, LLC to First Communications, LLC;) **Tariff No. YX-2007-0422**
and (ii) the Voluntary Surrender of the Authorizations)
of Acceris Management and Acquisition LLC and)
New Access Communications, LLC)

ORDER DIRECTING STAFF TO FILE A RECOMMENDATION

Issue Date: December 22, 2006

Effective Date: December 22, 2006

On November 29, 2006, First Communications, LLC ("First"), Acceris Management and Acquisition LLC ("Acceris") and New Access Communications LLC ("New Access") (collectively, "Applicants") filed a joint application, pursuant to RSMo Section 392.300 and 4 CSR 240-3.520, requesting that the Commission grant them the authority necessary to consummate transactions involving the transfer of the assets of Acceris and New Access to First. First states that after completion of the transactions, it will provide telecommunications services to all of the former customers of Acceris and New Access, and that Acceris and New Access will cease operations in Missouri and surrender their authorizations.

On November 30, the Commission issued notice and set a deadline for intervention requests. No requests for intervention were filed. On December 20, Applicants filed a memorandum and revised tariff sheets bearing an effective date of January 19, 2007.

Applicants had stated in their application that it would file said tariffs “to include the same services, rates terms and conditions as in the existing Acceris and New Access tariffs for the interexchange customers being acquired by First.” Applicants maintain that the customers being transferred from Acceris and New Access to First will not experience any change in their telecommunications services.

The Commission would like to have the benefit of an investigation and report by its Staff before it further considers the joint application and tariff. Therefore, the Staff will be directed to file a recommendation as to whether the Commission should approve the application and tariff.

IT IS ORDERED THAT:

1. No later than January 9, 2007, the Staff of the Missouri Public Service Commission shall file a recommendation advising the Commission whether it should approve the application and tariff as described in the body of this order.
2. This order shall become effective on December 22, 2006.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Harold Stearley, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 22nd day of December, 2006.