

**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 )  
Communications, LLC to First Communications, LLC; )  
and (ii) the Voluntary Surrender of the Authorizations )  
of Acceris Management and Acquisition LLC and )  
New Access Communications, LLC )

**Case No. TM-2007-0203**

**ORDER DIRECTING NOTICE, AND ESTABLISHING TIME FOR FILING**  
**REQUESTS TO INTERVENE**

Issue Date: November 30, 2006

Effective Date: November 30, 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 an 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 consummation 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.

The Commission has determined that proper parties should be given notice and opportunity to intervene in this matter. The Commission finds that proper persons should

be allowed 20 days from the issuance of this order to file a request for intervention or a motion for hearing. The Commission will direct its Data Center to send a copy of this order to each competitive local exchange carrier, each incumbent local exchange carrier, and each intrastate interexchange telecommunications provider certificated to operate in Missouri.

**IT IS ORDERED THAT:**

1. The Data Center shall send a copy of this order to each competitive local exchange carrier, each incumbent local exchange carrier, and each intrastate interexchange telecommunications provider certificated to operate in Missouri.

2. Any party wishing to intervene or to request a hearing shall do so by filing an appropriate pleading no later than December 20, 2006, with:

Secretary  
Missouri Public Service Commission  
Post Office Box 360  
Jefferson City, Missouri 65102

and serve a copy on:

Carl J. Lumley  
Curtis, Heinz, Garrett & O'Keefe, PC  
130 S. Bemiston, Suite 200  
Clayton, Missouri 63105

and

Melissa Conway  
Kelley, Drye and Warren, LLP  
3050 K Street, N.W., Suite 400  
Washington, D.C. 20007

and

Mary Cegelski  
First Communication, LLC  
15166 Neo Parkway  
Garfield Heights, Ohio 44128

and

Drew S. Backstrand, General Counsel  
Acceris Management and Acquisition, LLC  
New Access Communication, LLC  
60 South Sixth Street, Suite 2535  
Minneapolis, Minnesota 55402

and

Office of the Public Counsel  
Post Office Box 2230  
Jefferson City, Missouri 65102

and

General Counsel  
Missouri Public Service Commission  
200 Madison Street  
Post Office Box 360  
Jefferson City, Missouri 65102

3. This order shall become effective on November 30, 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 30th day of November, 2006.