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Telecom Division

December 15, 2000

ITC-T/C-20001218-00738

P.O. Box 358115 **IB Telecommunications Division** Federal Communications Commission

> Streamlined ITC-T/C-20001218 COLUMBIA TELECOMMUNICATIONS, INC. AXESSA

Pittsburgh, PA 15251-5115

RE:

which has Section 214 International Message authorization Application for consent to the transfer of control of a business Toll Service

Dear Sir:

Telecommunications, Inc. d/b/a Axessa and LS Communications, Inc. Enclosed please find the following documents submitted on behalf of Columbia

- _ of control of a business which has Section 214 International Message Toll Service authorization. The original and four (4) copies of an Application for consent to the transfer
- 5 The original and four (4) copies of FCC Form 159
- ယ Application Our check in the amount of \$815.00 representing the filing fee for this

undersigned. Thank you for your cooperation and assistance with this filing Please address any questions or correspondence regarding this matter to the

envelope provided I would appreciate if you would return a copy of this letter, date-stamped, in the

EllenAnn G. Sands

Enclosures

International Bureau Ms. Fran Eisenstein

FCC FORM 159 JULY 1997 (REVISED)	ISA OF MASTERCARD AUTHORIZED SIGNATURE A	VISA Thereby authorize the FCC to charge my VISA or MASTERCARD for the service(s)/authorizations(s) herein described. SEE PUBLIC
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Federal Communications BEFORE THE Commission

WASHINGTON, D.C.

In the Matter of T0: Toll Service authorization transfer of control of a business which has Application for consent to the and its Shareholders LS Communications, Inc. and its Shareholders Columbia Telecommunications, Inc. d/b/a Axessa Section 214 International Message The Commission Transferees I ransferors, File No.

APPLICATION FOR CONSENT TO TRANSFER OF CONTROL

and LS Communications, Inc. ("LS") and its shareholders, pursuant to Section 214 of the based services. Approval of the proposed transfer will permit Axessa to compete more 214-19981005-00677, to LS. The Certificate authorizes Axessa to provide global facilities International Message Toll Service ("IMTS") authorization (the "Certificate") in File No. ITC-Rules, hereby apply for consent to the transfer of control of Axessa, a holder of an Communications Act of 1934, as amended, and Section 63.18(e)(5) of the Commission's Columbia Telecommunications, Inc. d/b/a Axessa ("Axessa") and its shareholders

public interest. processing of this application effectively in the international voice service marketplace and, as a result, will benefit the In accordance with 47 C.F.R. § 63.12, the parties request streamlined

I. THE PARTIES

services as a non-dominant carrier as well as local and intrastate interexchange service exchange services. Axessa is authorized by the FCC to provide interstate and international carrier that provides intrastate, interstate pursuant to certification, registration or tariff requirements in nine (9) states Poydras Street, Axessa is a privately held Delaware corporation with principal offices located at 1340 Suite 350, New Orleans, Louisiana 70112. and international long distance Axessa is a non-dominant and local

or state authorizations to provide telecommunications services Lakeland Cove, Suite C, Jackson, Mississippi 39208. S is a privately held Delaware corporation with principal offices located at S does not possess any federal 3003

II. THE PROPOSED TRANSACTION

and LS will become the sole shareholder of Axessa.2 ownership of the business of and corporation known as Axessa will be transferred to LS whereby Axessa will become a wholly owned subsidiary of LS. 1 The transaction will result all existing Axessa and LS have entered into an Acquisition Agreement (the "Agreement") shares of issued and outstanding Axessa stock will be cancelled and After the transaction, Axessa will

States Bankruptcy Court, Consummation of this transaction is contingent upon the approval of the United otcy Court, Eastern District of Louisiana, Case No. 00-15033.

new shares will be issued All existing shares of issued and outstanding Axessa stock will be cancelled and in the name of LS

operating authorities, certifications and tariffs Axessa after this transaction. Axessa employees, continue to operate as it currently operates, but will become a wholly owned subsidiary of The technical, managerial and financial personnel of LS, in addition to various current will become the technical, managerial and financial personnel of Axessa will continue to provide service under its present

Commission's International Competitive Carrier policies Authority. Axessa will continue to operate as a non-dominant common carrier with regard to the provision of international resale services to foreign points in accordance with the Axessa will continue to provide IMTS service under Axessa's present Section 214

III. THE PUBLIC INTEREST

interest by permitting Axessa to compete more effectively in the IMTS market. Axessa will at competitive rates economies of scale. As a result, Axessa will be able to offer better service to its customers be wholly owned by a larger parent operation, thereby increasing access Axessa's operations will more readily increase in size and profitability due to enhanced The transfer of control of Axessa, through the acquisition by LS, will serve the public to capital.

the proposed transaction is in the public interest. Given the Commission's desire to foster competition in the IMTS resale market, grant of becoming increasingly competitive in nature and that such competition benefits consumers The Commission recognizes that the international market for resold services

< INFORMATION REQUIRED BY SECTION 63.18 OF THE COMMISSION'S RULES

 $\stackrel{\text{(a)}}{}$ transferee. The name, address and telephone number of the transferor and

Transferor:
Columbia Telecommunications , Inc. d/b/a Axessa
Tom Nolan
11715 Bricksome, Suite A6
Baton Rouge, LA 70816
(225) 297-2500

Iransteree:
LS Services, Inc.
Eric Lindstrom
3003 Lakeland Cove, Suite C
Jackson, MS 39208
(601) 664-2000

- **(b)** The state of incorporation of transferor and transferee
- of the State of Delaware Transferor, Axessa, is a corporation organized under the laws
- the State of Delaware Transferee, LS, is a corporation organized under the laws of
- (C) Correspondence concerning this Application should be addressed to:

EllenAnn G. Sands Nowalsky, Bronston & Gothard A Professional Limited Liability Company 3500 N. Causeway Boulevard, Suite 1442 Metairie, Louisiana 70002 (504) 832-1984

- (d) Previous authority under Section 214 of the Act.
- points §§ 214. Axessa is an authorized provider of international of the Communications Act of 1934, as amended. 47 U.S.C. the transaction) a non-dominant carrier subject to Section 214 resale services between the United States and all international Applicant/transferor, Axessa, is presently (and will remain after currently served by authorized carriers.

dated November 25, 1998. may be found in Report # Tel-00034, DA 98-2396, 214-19981005-00677 (effective November 20, 1998) which received its International Section 214 Authority in File No. ITC-

- 2 Telecommunications Service Tariff F.C.C. No. 1 on file with the conditions reflected message toll service provided by other authorized carriers on continue to resell after the transaction) international voice Applicant/transferor, Commission. basis determined Axessa, by the applicable rates, terms and in Axessa's International Message presently resells (and will
- (e) approval in accordance with Section 63.18(e)(5) of the Commission's aforementioned Section 214 authorization, and requests Commission regulations. seeks ō acquire control of Axessa, the holder of the
- \oplus LS seeks no other authorizations under Section 63.18(e).
- (g) Not applicable.
- (h) LS certifies to the following information:
- 3 LS is not a foreign carrier and has no affiliation with a foreign
- 2 business of the owners of LS, holding a 10 percent or greater ownership interest, are: The name, address, citizenship, and principal place

Name: Eric E. Lindstrom, Jr.

3 Stonesthrow
Address
Laurel, MS 39440

Principal Place of Business: Citizenship: USA LS Communications, Inc

Name:
G. Wade Spooner
100 Woodglen Place
Brandon, MS 39047

Citizenship: Principal Place of Business: USA LS Communications, Inc.

- (3)214 authorization. LS does not have an affiliation with any U.S. carrier whose facilities-based services will be resold under Axessa's Section
- \equiv S agreements in the future. foreign countries it is authorized to serve, and will not enter into such respect to traffic or revenue flows between the United States and any directly or indirectly from any foreign carrier or administration with certifies that it has not agreed to accept special concessions
- 9 The parties to this application certify that they are not subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988

V. SUMMARY AND CONCLUSION

discussed above in Section III of the instant application. In summary, consent to the experienced carriers, and will increase the cost-effectiveness of its operation scale and operating efficiencies, which will enhance its ability to compete with larger more proposed transaction will allow LS and thereby Axessa, to realize certain economies of The public benefits and the economic justification for the proposed Agreement are

with the Commission and revisions, reissues and amendments thereof Service will be provided in accordance with existing tariff charges and regulations on file Accounting will be in conformity with generally accepted accounting principles

Rules constitute a "major" environmental action pursuant to Section 1.1305 of the Commission's No new construction is involved, and grant of the instant application would

the instant application for consent to the transfer of control of Axessa, an entity which has Section 214 International Message Toll Service Authorization. In view of the foregoing, Axessa and LS jointly request that the Commission grant

Respectfully submitted

Ву

EllenAnn G. Sands

Nowalsky, Bronston & Gothard

3500 N. Causeway Boulevard Suite 1442 A Professional Limited Liability Company

Metairie, Louisiana 70002

its shareholders and its shareholders, and LS Corporation, and Telephone: (504) 832-1984
Counsel for Axessa International Corporation,

December 15, 2000