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March 28, 2000

VIA OVERNIGHT DELIVERY

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

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MAIL ROOM

Re: Access Point, Inc. Notification of Transfer of Customer Base from
Efficy Group, Inc.

Dear Ms. Bayo:

Access Point, Inc. ("Access Point"), by its undersigned counsel, submits this notification to advise the Florida Public Service Commission ("Commission") of a transaction whereby Efficy Group, Inc. ("Efficy") will transfer its long distance customers to Access Point.¹

Upon review of the Florida statutes and the Commission's rules, it is the understanding of Access Point that prior Commission approval is not required for the transfer of selected customers from Efficy's customer base to Access Point as described herein.

Description of the Parties

1. Access Point, Inc.

Access Point is a North Carolina corporation and a direct, wholly-owned subsidiary of Access Point Communications, Inc. ("APCI"), a Delaware corporation. Access Point and APCI maintain their principal offices at 1100 Crescent Green, Suite 109, Cary, North Carolina 27511.

Concurrent with this filing, Access Point has petitioned the Federal Communications Commission to grant a limited waiver of its subscriber carrier selection rules (47 C.F.R. §§ 64.1100 through 64.1190) and relevant Orders to the extent necessary to permit Access Point to transfer selected customers of Efficy to the Access Point's customer base without first obtaining the customers' authorization and verification.

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FPSC-RECORDS/REPORTING

Access Point is authorized to provide intrastate resold interexchange services in 44 states. Access Point is authorized to provide facilities-based interLATA and intraLATA interexchange service within the State of Florida.² Access Point is authorized by the Federal Communications Commission ("FCC") to provide international switched and private line telecommunications services between the United States and various international points.³

Access Point is an experienced and duly certificated non-dominant, resale-based interexchange carrier in Florida and has sufficient managerial and financial qualifications to acquire the customer assets of Efficy, as described below, and to ensure the uninterrupted provision of telecommunications services.

2. Efficy Group, Inc.

Efficy, a South Carolina corporation with principal offices located at 16 Hyland Road, Suite D, Greenville, South Carolina, 29615 is authorized in Docket No. 971193-T1 to provide interexchange telecommunications services in the State of Florida.

Description of the Transaction

Pursuant to an agreement executed with Efficy, Efficy and Access Point intend to transfer substantially all of the assets of Efficy, including customer accounts and accounts receivables, to Access Point. Efficy has decided to terminate service to these customers and agreed to transfer these customer accounts to Access Point pursuant to the agreement. Access Point intends to migrate approximately 150 Florida customers from Efficy to Access Point. Access Point will provide interexchange service to these customers under the same or better rates as provided by Efficy.

Prior to the transfer of these customers to Access Point, Access Point will provide them with notice of the changes in their interexchange service provider. See Exhibit 1. These customers will be notified, via a letter that states: (a) the quality of service to the customers will remain the same and that Access Point will continue to provide service to the customers with the same or better services and rates currently provided to them by Efficy; (b) they have the right to switch to the interexchange carrier of their choice; (c) Access Point will reimburse customers for any primary interexchange carrier ("PIC") change charges if imposed by local exchange carriers ("LECs") in

² See *Application of Access Point*, Certificate No. 4736 (November 19, 1996).

³ Access Point holds Section 214 global resale authority pursuant to Section 214 of the Communications Act of 1934, as amended. FCC File No. ITC-97-729, Public Notice Report No. I-8284 (Jan. 15, 1998)(global resale service).

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connection with this transaction; and (d) the customers may contact Access Point via a toll-free number with any questions regarding the switch over. Access Point will also amend its tariff to include the applicable Efficacy services and rates for those customers. After consummation of the transfer, Access Point will send another notification letter welcoming customers and reiterating statements (a) through (d) above. Therefore, the transaction will be completely transparent to customers and will not involve a change in the manner or quality in which Efficacy's customers will receive their telecommunications services.

As such, this transaction will neither disrupt the service nor cause inconvenience or confusion to Efficacy's customers. Similarly, the proposed transaction will have no effect on the operation of Access Point, which will continue to provide intrastate telecommunications services to customers pursuant to its existing authorization.

Public Interest Considerations

Telecommunications customers and the general public will realize significant benefits from the transfer of Efficacy's customers to Access Point. Consummation of the proposed transaction will serve the public interest by allowing Efficacy's customers to continue to receive service, under the same or better rates. Moreover, unless the Efficacy customers are transferred to the customer base of Access Point, there is a potential for a service disruption since Efficacy has decided, pursuant to the contemplated transaction, to discontinue providing interexchange services to these customers. The customers will be sufficiently notified of the transaction and their rights before and after the transfer. As a result of the transfer, there is no change in the quality of service provided to customers and the customers are protected because they are being served by an experienced and qualified carrier. Hence, the public interest is served by Access Point's managerial, technical, and financial ability to assume full provision of service to Efficacy's customer base.

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Please date-stamp the enclosed extra copy of this filing and return it in the attached self-addressed, stamped envelope. If you have any questions or comments regarding this filing, please do not hesitate to contact Harry Malone at (202) 424-7705.

Respectfully submitted,



Catherine Wang
Harry N. Malone

Counsel for Access Point, Inc.

cc: Brian Gilman, Access Point
Megan Rha

Exhibit 1

ACCESS POINT, INC.
NOTICE OF CHANGE IN LONG DISTANCE SERVICE PROVIDER

[DATE]

Dear Current Efficacy Group, Inc. Long Distance Customer:

Access Point, Inc. ("Access Point") and Efficacy Group, Inc. ("Efficacy") are pleased to announce that as of **[DATE]**, Efficacy's customers will begin receiving long distance service from Access Point. Through an agreement between Access Point and Efficacy, Access Point will begin providing long distance services to the customers of Efficacy in Florida.

Please note the following important information:

1. Access Point will provide you with the same or better high quality telecommunications services as Efficacy.
2. The long distance services will be provided at the same or better rates than you currently receive from Efficacy.
3. In the event that you would prefer to use another company as your long distance carrier, you have the right to switch to a long distance carrier of your choice.
4. Access Point will reimburse you for any primary long distance carrier change charges if they are imposed by your local exchange carrier in connection with the switch over to Access Point.
5. You may contact Access Point at its toll-free number, 1-800-957-6468, with any questions regarding your change in service to Access Point.

Access Point extends a special welcome to all Efficacy customers. We realize you have a choice of telecommunications carriers, and we appreciate your business. Please call Access Point at its toll-free customer service number, 1-800-957-6468, if you have any concerns or questions.

Sincerely,

Access Point, Inc.