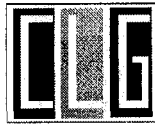


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The CommLaw Group

COMMISSION
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070682-TP

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November 8, 2007

Blanca S. Bayo, Director
Florida Public Service Commission
Division of the Commission Clerk and
Administrative Services
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Check received with filing and forwarded
to Fiscal for deposit. Fiscal to forward
deposit information to Records.

Initials of person who forwarded check:

**Re: Joint Petition for Waiver of Carrier Selection Requirements
Of Rule 25-4.118, Florida Administrative Code.**

Dear Ms. Bayo:

On behalf of Broadview Networks, Inc., and its sister companies, BridgeCom International, Inc., ATX Licensing, Inc. and A.R.C. Networks, Inc., d/b/a InfoHighway (collectively, "Petitioners"), transmitted herewith are an original and fifteen (15) copies of Petitioners' Joint Petition for Waiver of the Carrier Selection Requirements of Rule 25-4.118, FAC. Due to the Migration of Customers Among Affiliated Entities. Also enclosed is a check in the amount of \$400.00, payable to the "Florida Public Service Commission," for the fee associated with the filing of this Petition.

An additional copy of this filing is also enclosed, to be date-stamped and returned in the postage prepaid envelope provided.

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10207 NOV-98

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Ms. Blanca S. Bayo, Director
November 8, 2007
Page 2

Should there be any questions regarding this filing, kindly contact the undersigned.

Respectfully submitted,

A handwritten signature in cursive script that reads "Catherine M. Hannan".

Catherine M. Hannan
Regulatory Counsel

Enclosures

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of the Petition of)
Broadview Networks, Inc.)
BridgeCom International, Inc.)
ATX Licensing, Inc.)
And)
A.R.C. Networks, Inc. d/b/a)
InfoHighway)
For Waiver of the Carrier Selection)
Requirements of Rule 25-4.118, FAC,)
Due to the Migration of Customers)
Among Affiliated Entities)

070682-TP

BPU Docket No. _____

JOINT PETITION FOR WAIVER

I. INTRODUCTION

Broadview Networks, Inc. and its sister companies, BridgeCom International, Inc. ("BridgeCom"), ATX Licensing, Inc. ("ATX"), and A.R.C. Networks, Inc., d/b/a InfoHighway ("InfoHighway") (collectively, "Petitioners"),¹ pursuant to the rules of the Florida Public Service Commission, hereby respectfully request a waiver of Rule 25-4.118, Florida Administrative Code ("FAC"), to permit the migration of a substantial portion of the interexchange customers of BridgeCom, ATX and InfoHighway to Broadview without the necessity of obtaining signed letters of agency (LOAs) or third party verifications (TPVs) from each customer being transferred. BridgeCom, ATX and InfoHighway will retain their respective authorizations to provide telecommunications

¹ Each of Broadview, BridgeCom, ATX and InfoHighway are wholly-owned, directly or indirectly, by Broadview Networks Holdings, Inc.

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services in Florida in order to provide services to those customers not migrated to Broadview.

Because the customer migration will follow closely upon the receipt of the required regulatory approvals, Petitioners respectfully request that the Commission grant this Petition on an expedited basis.

In order to better and more efficiently serve customers of the various carriers within the Broadview corporate family, a substantial portion of the interexchange customers of BridgeCom, ATX and InfoHighway are to be consolidated into the Broadview customer base. Following the migration, the former BridgeCom, ATX and InfoHighway customers will be provided with the same services, at the same rates and on the same terms and conditions that they received prior thereto.² Customers will be provided advance written notice of the migration and afforded an opportunity to opt out of the transfer. The internal transfer of accounts will be transparent to the customer; the only change noticeable to customers will be the name of the carrier on their monthly bill, which will change to Broadview. Certainly no customer will experience disruption of service as a result of this customer base consolidation. Indeed, Broadview believes that it will be better able to serve its customers and those of BridgeCom, ATX and InfoHighway on a consolidated basis.

Additional information concerning the proposed customer migration is set forth below.

² Broadview will file supplements to its tariffs as necessary in order to preserve the current rates, terms and conditions that customers of BridgeCom, ATX and InfoHighway now have in place.

II. DESCRIPTION OF PETITIONERS

Broadview is a New York corporation with headquarters located at 800 Westchester Avenue, Suite N-501, Rye Brook, New York 10573. Broadview is a wholly-owned subsidiary of Broadview Networks Holdings, Inc. In Florida, Broadview is authorized to provide local exchange and interexchange services pursuant to a Certificate of Public Convenience and Necessity issued in Dockets No. 020238, 020239 (July 18, 2002). Further information regarding Broadview has been previously submitted to the Commission, is therefore a matter of public record, and is incorporated herein by reference.

BridgeCom is a Delaware corporation with headquarters located at 800 Westchester Avenue, Suite N-501, Rye Brook, New York 10573. BridgeCom is an indirect wholly-owned subsidiary of Broadview Networks Holdings, Inc. In Florida, BridgeCom is authorized to provide interexchange telecommunications services pursuant to a Certificate of Public Convenience and Necessity issued in Docket No. 010655-TI (August 7, 2001). Further information regarding BridgeCom has been previously submitted to the Commission, is therefore a matter of public record, and is incorporated herein by reference.

ATX is a Delaware corporation with headquarters located at 800 Westchester Avenue, Suite N-501, Rye Brook, New York 10573. ATX is also an indirect wholly-owned subsidiary of Broadview Networks Holdings, Inc. In Florida, ATX is authorized to provide interexchange telecommunications services pursuant to a Certificate of Public Convenience and Necessity issued in Docket No. 920563-TI (August 6, 1992). Further

information regarding ATX has been previously submitted to the Commission, is therefore a matter of public record, and is incorporated herein by reference.

InfoHighway is a Delaware corporation with headquarters located at 800 Westchester Avenue, Suite N-501, Rye Brook, New York 10573. InfoHighway is also an indirect wholly-owned subsidiary of Broadview Networks Holdings, Inc. In Florida, InfoHighway is authorized to provide local exchange and interexchange services pursuant to a Certificate of Public Convenience and Necessity issued in Certificate Proceedings 4704 and 4720, respectively. Further information regarding InfoHighway has been previously submitted to the Commission, is therefore a matter of public record, and is incorporated herein by reference.

III. CONTACTS

Questions or any correspondence, orders, or other materials should be directed to:

Catherine M. Hannan
Helein & Marashlian, LLC
The *CommLaw* Group
1483 Chain Bridge Road, Suite 301
McLean, VA 22101
(703) 714-1326 (tel)
(703) 714-1330 (fax)
cmh@commlawgroup.com

with a copy to:

Charles C. Hunter
Executive Vice President and General Counsel
Broadview Networks Holdings, Inc.
800 Westchester Avenue, Suite N-501
Rye Brook, NY 10573
(914) 922-7589 (tel)
(347) 287-0223 (fax)
chunter@broadviewnet.com

IV. DESCRIPTION OF THE TRANSACTION

In order to better and more efficiently serve customers of the various carriers within the Broadview corporate family, BridgeCom, ATX and InfoHighway will consolidate substantial portions of their interexchange customer bases into the Broadview customer base following the receipt of any required regulatory approvals. As noted above, following this consolidation, Broadview will continue to provide services to these migrated customers under the same rates, terms and conditions currently provided by BridgeCom, ATX and InfoHighway, respectively. The migration of customers between operating affiliates will not cause any service disruptions; thus, the planned transfer will be entirely transparent to customers.

As required by the Federal Communications Commission, the customers of BridgeCom, ATX and InfoHighway will be provided at least thirty (30) days' advance written notice of the planned customer migration. A copy of the notice is attached.

V. WAIVER OF RULE 25-4.118 IS IN THE PUBLIC INTEREST

The consolidation of substantial portions of the interexchange customers of BridgeCom, ATX and InfoHighway into the Broadview customer base will enable Broadview to increase its efficiency and lower its costs of operation. These operating efficiencies will allow Broadview better serve its customers, as well as the former customers of its operating company affiliates, and future customers. Furthermore, consolidation of customer bases within the Broadview corporate family will (1) have no negative impact on competition, employees or the rates of current customers, (2) no negative impact on the provision of safe, adequate and proper service, (3) will positively benefit competition and (4) will have a net positive benefit to the customers of the

various Broadview entities located in the State of Florida. And because Customers will be provided advance written notice of the migration and afforded an opportunity to opt out of the transfer, the operation of competitive forces in the telecommunications marketplace will serve the same function as, or obviate the necessity for, Petitioners' adherence with the dictates of Rule 25-4.118.

Moreover, Petitioners do not propose to complete any physical "migration" of customers as envisioned by the Commission's Regulations; rather, customers will continue to receive the same service over the same facilities. Petitioners thus anticipate the completion of the proposed customer migration in a consumer-friendly, transparent, manner. Grant of the requested waiver would allow for the transition to occur in a smooth process which would protect both the customers and the companies. Adherence to the full requirements of Rule 25-4.118, on the other hand, could cause substantial customer confusion, leading some customers to believe that their services were to be interrupted.

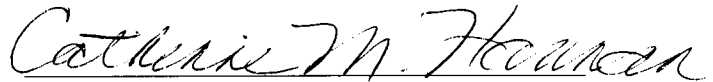
Indeed, if prior authorization of a carrier selection change were required for this intra-company account transfer, certain customers might fail to respond to a request for authorization, neglect to select another carrier and unintentionally lose access to their telecommunications services. Finally, absent the requested waiver, Petitioners might be subject to unnecessary and inappropriate slamming complaints during this transition. Accordingly, application of the regulatory dictates embodied in Rule 25-4.118 are not appropriate in the instant circumstance; indeed, application of the Rule would be contrary to the public interest. See Notice of Proposed Agency Action, Order of Waiver of Rule 25-4.118, Florida Administrative Code, I/M/O Acceris Management and Acquisition

LLC and First Communications, LLC, Docket No. 060549-TI, Order No. PSC-06-0840-PAA-TI (FL PSC, Oct. 30, 2006).

VI. CONCLUSION

For the foregoing reasons, Petitioners respectfully submit that the public interest, convenience and necessity would be furthered by a grant of this Joint Petition for Waiver on an expedited basis.

Respectfully submitted,



Catherine M. Hannan
Helein & Marashlian, LLC
The *CommLaw* Group
1483 Chain Bridge Road, Suite 301
McLean, VA 22101
(703) 714-1326 (tel)
(703) 714-1330 (fax)
cmh@commlawgroup.com

Counsel for
Broadview Networks, Inc.
BridgeCom International, Inc.
ATX Licensing, Inc. and
A.R.C. Networks, Inc. d/b/a InfoHighway

Dated: November 8, 2007

CUSTOMER NOTIFICATIONS

DOCUMENT NUMBER-DATE

10207 NOV-98

10/20/98

Date: _____

To Our Valued Customers:

As you are aware, ATX Communications became part of the Broadview Networks corporate family more than a year ago. Over the past year, we have been working diligently to integrate the ATX and Broadview operating systems to provide you the best communications services possible. Having successfully completed this integration, we have recently requested regulatory approval to transfer your account and services from the former ATX Communications entity to the new combined ATX/Broadview entity. As a result, on or after February 1, 2008, Broadview Networks will become your new telecommunications provider. The actual date of the transfer will depend upon when the necessary state and federal regulatory approvals are received.

This transfer will not affect your current service. Your telephone numbers will all remain the same and you will continue to enjoy all of the features, terms and conditions of service, including the current pricing, that you enjoy today. No carrier change charges will be applied in connection with your transfer to the new combined entity. **NO ACTION ON YOUR PART IS REQUIRED.**

As the new Broadview Networks, we look forward to being able to serve you with even more capabilities than before, while ensuring the same high levels of insight, attention and care that you have come to expect from ATX. In fact, we are confident that the combination of ATX and Broadview creates an even more competitive, responsive partner for your business. Of course, you always have the option of selecting another carrier (subject to any termination restrictions in your current contract), but there is no need to take any action to maintain your service with Broadview Networks.

We thank you for your loyalty and we appreciate the continued opportunity to provide you with the highest value in competitive telecommunications and network services.

Please note the following:

- If you opt to move your services to another provider prior to the end of the term of your existing contract with ATX/Broadview, you may be responsible for early termination penalties.
- If you have placed a "freeze" on your ATX local or long distance service(s), it will be lifted to implement the transfer of your account and services to Broadview Networks. At your request, we can re-establish freeze protection for you after the transfer is complete.
- For all questions, billing requests, repairs or service needs, please call 800-220-4900 to reach a service professional. Please use this number for any issues you may have experienced prior to or during the transfer of your account.
- Notice of any future changes in rates or terms and conditions of service will be promptly provided to you as required by law.

DOCUMENT NUMBER-DATE

Date: _____

To Our Valued Customers:

As you are aware, BridgeCom International became part of the Broadview Networks corporate family several years ago. Over the past several years, we have been working diligently to integrate the BridgeCom and Broadview operating systems to provide you the best communications services possible. Having successfully completed this integration, we have recently requested regulatory approval to transfer your account and services from the former BridgeCom International entity to the new combined BridgeCom/Broadview entity. As a result, on or after February 1, 2008, Broadview Networks will become your new telecommunications provider. The actual date of the transfer will depend upon when the necessary state and federal regulatory approvals are received.

This transfer will not affect your current service. Your telephone numbers will all remain the same and you will continue to enjoy all of the features, terms and conditions of service, including the current pricing, that you enjoy today. No carrier change charges will be applied in connection with your transfer to the new combined entity. **NO ACTION ON YOUR PART IS REQUIRED.**

As the new Broadview Networks, we look forward to being able to serve you with even more capabilities than before, while ensuring the same high levels of insight, attention and care that you have come to expect from BridgeCom. In fact, we are confident that the combination of BridgeCom and Broadview creates an even more competitive, responsive partner for your business. Of course, you always have the option of selecting another carrier (subject to any termination restrictions in your current contract), but there is no need to take any action to maintain your service with Broadview Networks.

We thank you for your loyalty and we appreciate the continued opportunity to provide you with the highest value in competitive telecommunications and network services.

Please note the following:

- If you opt to move your services to another provider prior to the end of the term of your existing contract with BridgeCom/Broadview, you may be responsible for early termination penalties.
- If you have placed a “freeze” on your BridgeCom local or long distance service(s), it will be lifted to implement the transfer of your account and services to Broadview Networks. At your request, we can re-establish freeze protection for you after the transfer is complete.
- For all questions, billing requests, repairs or service needs, please call 800-276-2384 to reach a service professional. Please use this number for any issues you may have experienced prior to or during the transfer of your account.
- Notice of any future changes in rates or terms and conditions of service will be promptly provided to you as required by law.

Date: _____

To Our Valued Customers:

As you are aware, InfoHighway Communications became part of the Broadview Networks corporate family nearly a year ago. Over the past year, we have been working diligently to integrate the InfoHighway and Broadview operating systems to provide you the best communications services possible. Having successfully completed this integration, we have recently requested regulatory approval to transfer your account and services from the former InfoHighway Communications entity to the new combined InfoHighway/Broadview entity. As a result, on or after February 1, 2008, Broadview Networks will become your new telecommunications provider. The actual date of the transfer will depend upon when the necessary state and federal regulatory approvals are received.

This transfer will not affect your current service. Your telephone numbers will all remain the same and you will continue to enjoy all of the features, terms and conditions of service, including the current pricing, that you enjoy today. No carrier change charges will be applied in connection with your transfer to the new combined entity. **NO ACTION ON YOUR PART IS REQUIRED.**

As the new Broadview Networks, we look forward to being able to serve you with even more capabilities than before, while ensuring the same high levels of insight, attention and care that you have come to expect from InfoHighway. In fact, we are confident that the combination of InfoHighway and Broadview creates an even more competitive, responsive partner for your business. Of course, you always have the option of selecting another carrier (subject to any termination restrictions in your current contract), but there is no need to take any action to maintain your service with Broadview Networks.

We thank you for your loyalty and we appreciate the continued opportunity to provide you with the highest value in competitive telecommunications and network services.

Please note the following:

- If you opt to move your services to another provider prior to the end of the term of your existing contract with InfoHighway/Broadview, you may be responsible for early termination penalties.
- If you have placed a "freeze" on your InfoHighway local or long distance service(s), it will be lifted to implement the transfer of your account and services to Broadview Networks. At your request, we can re-establish freeze protection for you after the transfer is complete.
- For all questions, billing requests, repairs or service needs, please call 800-562-4206 to reach a service professional. Please use this number for any issues you may have experienced prior to or during the transfer of your account.
- Notice of any future changes in rates or terms and conditions of service will be promptly provided to you as required by law.

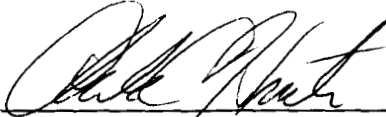
VERIFICATIONS

DOCUMENT NUMBER-DATE
10207 NOV-95
SESSION CLERK

VERIFICATION


State of New York)
)
County of Westchester) ss.

I, Charles C. Hunter, being duly sworn according to law, depose and say that I am Executive Vice President and General Counsel of Broadview Network Holdings, Inc., and its operating subsidiary, Broadview Networks, Inc. ("Broadview"); that I am authorized to and do make this Verification for it; that the facts set forth in the above Joint Petition for Waiver are true and correct to the best of my knowledge, information and belief, and that I expect Broadview to be able to prove the same at any hearing hereof; and that Broadview understands that, if the contents of the Petition are found to be false or to contain misrepresentations, any authority granted may be suspended or revoked. I further depose and say that the authority to submit the Petition has been properly granted.



Charles C. Hunter

Subscribed and sworn before me this 6 day of November, 2007.



Notary Public

My Commission expires:

COREY BINKER
NOTARY PUBLIC, STATE OF NEW YORK
No. 02R1601846
QUALIFIED IN WESTCHESTER COUNTY
MY COMMISSION EXPIRES 9/21/2009

DOCUMENT NUMBER-DATE


10207 NOV-98

7500 COMMISSION CLERK

VERIFICATION


State of New York)
)
County of Westchester) ss.

I, Charles C. Hunter, being duly sworn according to law, depose and say that I am Executive Vice President and General Counsel of Broadview Network Holdings, Inc., and its operating subsidiary, BridgeCom International, Inc. ("BridgeCom"); that I am authorized to and do make this Verification for it; that the facts set forth in the above Joint Petition for Waiver are true and correct to the best of my knowledge, information and belief, and that I expect BridgeCom to be able to prove the same at any hearing hereof; and that BridgeCom understands that, if the contents of the Petition are found to be false or to contain misrepresentations, any authority granted may be suspended or revoked. I further depose and say that the authority to submit the Petition has been properly granted.



Charles C. Hunter

Subscribed and sworn before me this 6 day of November, 2007.



Notary Public

My Commission expires:


COREY FINCKER
NOTARY PUBLIC, STATE OF NEW YORK
No. 02R1601846
QUALIFIED IN WESTCHESTER COUNTY
MY COMMISSION EXPIRES 9/21/2011

DOCUMENT NUMBER-DATE
10207 NOV-9 5
FPSC-COMMISSION CLERK

VERIFICATION


State of New York)
)
County of Westchester) ss.

I, Charles C. Hunter, being duly sworn according to law, depose and say that I am Executive Vice President and General Counsel of Broadview Network Holdings, Inc., and its operating subsidiary, ATX Licensing, Inc. ("ATX"); that I am authorized to and do make this Verification for it; that the facts set forth in the above Joint Petition for Waiver are true and correct to the best of my knowledge, information and belief, and that I expect ATX to be able to prove the same at any hearing hereof; and that ATX understands that, if the contents of the Petition are found to be false or to contain misrepresentations, any authority granted may be suspended or revoked. I further depose and say that the authority to submit the Petition has been properly granted.



Charles C. Hunter

Subscribed and sworn before me this 6 day of November, 2007.



Notary ~~Public~~

My Commission expires:

COREY HUNKER
NOTARY PUBLIC, STATE OF NEW YORK
No. 02R1601345
QUALIFIED IN WESTCHESTER COUNTY
MY COMMISSION EXPIRES 9/21/09

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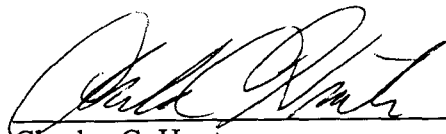
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VERIFICATION

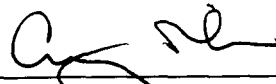
State of New York)
)
County of Westchester) ss.

I, Charles C. Hunter, being duly sworn according to law, depose and say that I am Executive Vice President and General Counsel of Broadview Network Holdings, Inc., and its operating subsidiary, A.R.C. Networks, Inc. d/b/a InfoHighway ("InfoHighway"); that I am authorized to and do make this Verification for it; that the facts set forth in the above Joint Petition for Waiver are true and correct to the best of my knowledge, information and belief, and that I expect InfoHighway to be able to prove the same at any hearing hereof; and that InfoHighway understands that, if the contents of the Petition are found to be false or to contain misrepresentations, any authority granted may be suspended or revoked. I further depose and say that the authority to submit the Petition has been properly granted.



Charles C. Hunter

Subscribed and sworn before me this 6 day of November, 2007.



Notary Public

My Commission expires:

COREY FINKER
NOTARY PUBLIC, STATE OF NEW YORK
No. 02R16013487
QUALIFIED IN WESTCHESTER COUNTY
MY COMMISSION EXPIRES 5/21/2009

DOCUMENT NUMBER-DATE

10207 NOV-98

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