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January 19, 2021

VIA: ELECTRONIC FILING

Mr. Adam J. Teitzman Commission Clerk Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

Re: Telepak Networks, Inc. and Harbor Communications, LLC -

Notice of Change of Ownership and Control of Harbor Communications, LLC -

Undocketed Matter [Docket No. 20210000]

Dear Mr. Teitzman:

I am writing on behalf of Telepak Networks, Inc. ("Telepak Networks") to notify the Florida Public Service Commission ("FPSC" or "Commission") of the transfer of ownership and control of Harbor Communications, LLC ("Harbor Communications") to Telepak Networks. Harbor Communications and Telepak Networks are collectively referred to herein as the "Parties."

1. BRIEF DESCRIPTION OF THE TRANSACTION.

Pursuant to the terms of a Membership Interest and Purchase Agreement (the "Agreement") by and among Telepak Networks (as Buyer), and Boihem Investment Company, LLC, Lester L. Boihem and Diane D. Boihem, individually, and Lester and Diane Boihem Irrevocable Grantor Trust (as Sellers), Telepak Networks purchased 100% of the membership interests of Harbor Communications, another company certificated by the Commission, pursuant and subject to the terms and conditions of the Agreement (the "Transaction"). The Transaction closed on and was effective as of December 11, 2020 (the "Effective Date"). After the consummation of the Transaction, Harbor Communications has continued to provide telecommunications services to customers in Florida.

A. The Parties.

Telepak Networks, Inc. (Company Code TX606) is a Mississippi corporation, with its legal address at 1018 Highland Colony Parkway, Suite 300, Ridgeland, MS 39157. Telepak Networks holds ALEC Certificate 7949, issued by the Commission on October 8, 2001 in Docket

No.20011036-TX. Telepak Networks has continued to serve customers in Florida post-Transaction pursuant to its ALEC Certificate.

Harbor Communications, LLC, (Company Code TX650) is an Alabama limited liability company, with its legal address at 1509 Government Street, Suite 300, Mobile, AL 36604, and was wholly-owned by Boihem Investment Company, LLC and J&L, LLC prior to the closing of the Transaction. Harbor Communications holds ALEC Certificate No. 8086, issued by the Commission on April 12, 2002 in Docket No. 20020159-TX.

B. The Transaction.

As of the Effective Date, pursuant to the terms of the Agreement, Telepak Networks purchased 100% of the membership interests of Harbor Communications which is now a whollyowned subsidiary of Telepak Networks. The Transaction will allow the new ownership and management of Harbor Communications to continue to provide high-quality, dependable services to customers in Florida. The Transaction had no effect on Harbor Communications' status and obligations as a competitive local exchange and interexchange carrier in Florida. The Transaction did not affect the Commission's jurisdiction over Harbor Communications in Florida and was transparent and seamless for Harbor Communications' customers in Florida. Harbor Communications' legal identity and name remained intact after the Transaction.

Telepak Networks anticipates that the customers of Harbor Communications will benefit from the enhanced access to capital and financial strength of its new owner, Telepak Networks. The post-Transaction management of Harbor Communications will also be able to draw upon the substantial experience in the telecommunications industry of the current management team of Telepak Networks.

The Transaction did not affect the Commission's jurisdiction over Telepak Networks in Florida and was transparent and seamless for Telepak Networks' customers in Florida. Post-Transaction, Harbor Communications and Telepak Networks have continued to provide high-quality, dependable service to their Florida customers in accordance with their respective Commission authorizations.

C. Benefits of the Transaction.

The Transaction resulted in the transfer of ownership and control of Harbor Communications to Telepak Networks, a highly-qualified telecommunications service provider with a strong management team and substantial telecommunications experience and expertise. Telepak Networks submits that the Transaction will enhance the ability of Harbor Communications and Telepak Networks to compete in the highly-competitive telecommunications marketplace.

Harbor Communications now has access to the telecommunications experience and business acumen of Telepak Networks' management team, and the operational and managerial resources of Telepak Networks. Such support will strengthen Harbor Communications' competitive position and ability to continue to provide high-quality and innovative services to its Florida customers. The Transaction expanded Telepak Networks' business operations and asset

portfolio, thereby establishing a stronger and more diversified competitor in the telecommunications service market.

The Transaction has improved Harbor Communications' ability to continue to offer competitive and innovative products and services at competitive rates. Post-Transaction, Harbor Communications has continued and will continue to offer competitive local exchange and interexchange services to Florida customers thereby increasing consumer choice by enabling the continued provision of competitively priced, high-quality and dependable services to customers in Florida.

The Transaction was transparent to Harbor Communications' Florida consumers. No transfer of operating authorities, certificates, or customers was required, and the identity of the carriers authorized to provide telecommunications services in Florida did not change. The customers of Harbor Communications did not experience any change in the rates, terms and conditions of service, or in the name of their service provider on the closing of the Transaction. Post-Transaction, the customers of Harbor Communications and Telepak Networks have continued to be served by their existing carrier pursuant to its current agreements and tariffs. Future changes in rates, terms and conditions of service will be made in accordance with applicable Commission requirements and customer agreements. The Transaction did not result in any loss, interruption or impairment of service to the customers of Harbor Communications or Telepak Networks.

The Transaction will benefit Florida consumers by enabling Harbor Communications to become a stronger service provider and competitor in its markets, and to expand its offerings. The Transaction did not trigger any federal or state anti-slamming or bulk customer transfer rules because the customer-facing service provider (Harbor Communications) was unchanged. The Transaction did not adversely affect competition for the provision of telecommunications services because, post-Transaction, customers have continued to be served by Harbor Communications.¹

The Transaction will enhance the ability of Harbor Communications and Telepak Networks to provide high-quality and dependable services and compete in the competitive markets for telecommunications and broadband services in Florida.

2. LOCATION OF THE FINANCIAL RECORDS OF HARBOR COMMUNICATIONS.

Post-Transaction, the physical location of the financial records of Harbor Communications will be:

Harbor Communications, LLC c/o Telepak Networks, Inc. 1018 Highland Colony Parkway, Ste. 300 Ridgeland, Mississippi 39157

¹ The transfer of control and ownership of Harbor Communications did not raise any slamming concerns or necessitate compliance with the FCC or Commission procedures to notify customers prior to a carrier-to-carrier sale or transfer of subscribers because the Transaction did not involve any change in a customer's existing service provider.

3. <u>NAME AND TELEPHONE NUMBER OF A CONTACT PERSON FAMILIAR WITH THE</u> TRANSACTION.

The names and contact information of persons familiar with the Transaction are:

TELEPAK NETWORKS, INC. HARBOR COMMUNICATIONS, LLC

Attn: Charles L. McBride Attn: Ben Moncrief Tel. 601-487-5262 Tel. 601-974-7771

Email: cmcbride@telapexinc.com Email: bmoncrief@cspire.com

4. <u>BRIEF DESCRIPTION OF ANY PRICE CHANGES ANTICIPATED IN THE NEAR</u> FUTURE.

Post-Transaction, the customers of Harbor Communications and Telepak Networks have continued to be served by their existing carrier pursuant to its current agreements and price lists. The Parties do not anticipate price list changes in the near future. Future changes in rates, terms and conditions of service will be made in accordance with applicable Commission requirements and customer agreements.

5. NEW ADDRESS TO BE USED FOR OFFICIAL NOTICES.

The new contact information of Harbor Communications to be used for official notices is as follows:

Harbor Communications, LLC c/o Telepak Networks, Inc. 1018 Highland Colony Parkway, Ste. 300 Ridgeland, Mississippi 39157

Please let us know if the Commission requires any additional information regarding the Transaction or the Parties.

Sincerely,

J. Geffry Wahler

cc: Charles L. McBride Ben Moncrief