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IDAHO PUBLIC
UTILITIES COMMISSION

November 18, 2014

Via Overnight Courier

Ms. Jean D. Jewell, Secretary
Idaho Public Utilities Commission
472 West Washington Street
Boise, Idaho 83702
secretary@puc.idaho.gov

CASE REOPENED

**Re: Docket No. CVD-T-04-01
Application for the Transfer of the Certificate of Public Convenience and
Necessity No. 440 to Provide Facilities-Based and Resold Local Exchange and
Interexchange Services in the State of Idaho from Megapath Corporation to
GC Pivotal, LLC d/b/a Global Capacity**

Dear Ms. Jewell:

Megapath Corporation (“Megapath”) and GC Pivotal, LLC d/b/a Global Capacity (“Global Capacity”) (collectively, the “Parties”), through their undersigned counsel, respectfully request approval of the Idaho Public Utilities Commission (“Commission”) to transfer Certificate of Public Convenience and Necessity (“CPCN”) No. 440 from MegaPath to Global Capacity (“Transfer”).¹ This Application is being filed as part of a larger transaction whereby Global Capacity intends to obtain certain network assets and data service customers (“Asset Transfer”) from MegaPath Corporation (“MegaPath”).²

Global Capacity intends to provide services to those customers under the same rates, terms and conditions as they are currently provided by MegaPath. Consistent with the services provided by MegaPath, Global Capacity does not intend to provide voice services at this time. In order to serve those customers, Global Capacity is hereby requesting facilities-based and resold authority. Global Capacity intends to file a revised

¹ Global Capacity filed an application for a Certificate of Public Convenience and Necessity with the Commission on September 23, 2014. *See* Docket No. GPC-T-14-01. Global Capacity will withdraw that application upon approval of this Transfer.

² Global Capacity requests that the filing it makes with respect to the Asset Transfer from MegaPath, filed on or about September 24, 2014, to Global Capacity be associated with this Application.

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tariff reflecting its name, rates and charges upon approval of the transfer of the MegaPath certificate. Any future changes in the rates, terms or conditions of services provided to affected customers will be undertaken pursuant to their service contracts and/or applicable federal and state tariffing requirements.

This Transfer will be effective upon consummation of the Asset Transfer between the Parties, anticipated toward the end of December 2014. The Parties will notify the Commission when the actual transfer takes place.

Enclosed for filing are an original and seven (7) copies the above-referenced Application. The original copy of the Application is unbound. An electronic copy of this filing has also been submitted. Please date-stamp the enclosed extra copy and return it in the envelope provided. Should you have any questions concerning this filing, please do not hesitate to contact the undersigned.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Russell M. Blau".

Russell M. Blau
Jeffrey R. Strenkowski

Counsel for MegaPath Corporation and GC Pivotal, LLC

cc (via e-mail): Grace Seaman (grace.seaman@puc.idaho.gov)