

File

00-274-CT-DEN

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February 7, 2000

Docketing Division
Public Utilities Commission of Ohio
180 E. Broad Street
Columbus, OH 43215

Dear Sir or Madam:

On behalf of NetMoves Corporation ("NetMoves") and Mail.com, Inc. ("Mail.com"), please accept for filing the attached application for transfer of control of NetMoves to Mail.com. An additional copy of the application is included to be date-stamped and returned in the enclosed envelope.

I thank you for your attention to this matter. If you have any questions, please feel free to contact the undersigned at 202-663-6299.

Sincerely yours,

David Gray
David Gray

RECEIVED-DOCKETING DIV
00 FEB - 8 PM 12:31
PUCO

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Technician *Rene M. Hix* Date Processed *Feb 9, 2000*

PUBLIC UTILITIES COMMISSION OF OHIO

PUBLIC COMPETITIVE TELECOMMUNICATIONS SERVICE PROVIDER

563 REGISTRATION FORM

ISSUED: December 21, 1995

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PUCO

In the Matter of the Application of)
NetMoves Corp. d/b/a Digitran)
Corp., for Change in Name)

Case No

02-274-CT-ZCN

Name of Registrant NetMoves Corporation d/b/a Digitran Corporation

Registrant's Address 399 Thornall Street, Edison, NJ 08837

Contact Person Peter Macaluso

(Phone - (732) 906-2000)

Date February 3, 2000

TRF Docket No. -CT-TRF

Certificate Issued 3/29/93, Case No. 92-909-TP-ACE, No. 74

- I. Indicate the reason for submitting this form (check only one) (NOTES: 1. If a waiver is filed in conjunction with an automatic case, see I.D.2.b. of the 563 guidelines for the applicable automatic time frame; and 2. The number of copies noted below must be accompanied by an original filing. Facsimiles are not acceptable.):

- ☐ 1. (ABN) Withdrawal or Abandonment of all Services (14-day notice, 13 copies)
- ☐ 2. (ACE) New Operating Authority (30-day approval, 10 copies)
 - ☐ IXC ☐ AOS ☐ CAP ☐ Cellular ☐ Paging
 - ☐ Other _____
- ☐ 3. (AMT) Merger (14-day notice, 13 copies)
- ☐ 4. (ATR) Transfer or Transaction Affecting Operating Authority (14-day notice, 7 copies)
- ☐ 5. (ARJ) All Other Requests for Relief from Jurisdiction (NOT automatic, 10 copies)
- ☐ 6. (MTW) "Me Too" Waiver (30-day approval, 10 copies)
- ☐ 7. (RRJ) Interexchange Switchless Rebiller Request for Relief from Jurisdiction (30-day approval, 10 copies)
- ☐ 8. (WVR) Request for Waiver from Portion(s) of 563 pursuant to I.D.3. of the 563 guidelines. (NOT automatic, 10 copies)
- ☐ 9. (ZAC) Contract (0-day notice, 10 copies)
- ☒ 10. (ZCN) Change of Name (0-day notice, 10 copies)
- ☐ 11. (ZCO) Change in Ownership (0-day notice, 10 copies)
- ☐ 12. (ZTA) Introduction of new tariffed service(s), textual revision, correction of error, addition of service area(s), etc. (0-day notice, 10 copies)
- ☐ 13. (UNC) Unclassified (explain) _____ (NOT automatic, 10 copies)
- ☐ 14. Other (explain) _____ (NOT automatic, 10 copies)

THE FOLLOWING ARE TRF FILINGS ONLY, NOT NEW CASES (0-day notice, 3 copies)

- ☐ 15. Introduction or Extension of Promotional Offering
- ☐ 16. New Price List Rate for Existing Service.
- ☐ 17. Designation of Registrant's Process Agent(s)

- II. Indicate which of the following exhibits have been filed. The numbers (corresponding to the list above) indicate, at a minimum, the types of cases in which the exhibit is required:

- ☐ A copy of registrant's proposed informational tariff. (2)
- ☐ Statement affirming that the registrant has notified the Ohio Department of Taxation of its intent to conduct operations as a telephone utility in the State of Ohio. (2)
- ☐ List of names, addresses, and phone numbers of officers and directors, or partners. (2-4)
- ☐ Brief description of service(s) proposed, as well as the targeted market(s). (2)
- ☒ Copy of tariff sheet(s) & price list(s) superseded, marked as Exhibit A. (1,3-4,6, 8,10,12-16) See Exhibit One

- ☒ Copy of revised tariff sheets & price lists, marked as Exhibit B. (1,3-4,6,8,10,12-16) See Exhibit One
- ☐ If increase to residential MTS, DA, or traditional operator surcharges, specify which notice procedure will be utilized: _____ real time; or _____ annual. (12, 16)
- ☒ Copy of real time notice which has been provided to customers. (1,3,10-12,16) See Exhibit Two
- ☐ Copy of annual notice which will be sent to customers is: _____ included with this filing; or will be filed with the Commission _____ (month) _____ (year). (16)
- ☐ Description of and rationale for proposed tariff changes, including a complete description of the service(s) proposed or affected. Specify for each service affected whether it is business _____, residence _____, or both _____ as well as whether it is a switched _____ or dedicated _____ service. Include this information in either the cover letter or label as "Exhibit C". (3,6,8,12-15)
- ☐ Delineation of any deaveraged message toll service, if applicable. (6, 12-16)
- ☒ Statement explaining rationale for proposal. (1,3-5,10-11) See Exhibit One
- ☐ List of Ohio counties specifically involved or affected (1-6,8,10,16)
- ☐ Certification from Ohio Secretary of State as to party's proper standing (domestic or foreign corporation, authorized use of fictitious name, etc.). (2-4,7,10) (In transfer of certificate cases, the transferee's good standing must be established).
- ☐ Justification for waiver of specific element(s) of 563. (6,8)
- ☐ Responses to questions contained in Appendix A, Attachment 4 to the 563 guidelines (7)
- ☐ For radio common carriers, a statement affirming that registrant has obtained all necessary federal authority to conduct operations being proposed, and that copies have been furnished by cellular, paging, and mobile companies to this Commission of any Form 401, 463, and/or 489 which the applicant has filed with the Federal Communications Commission. (2-4)
- ☐ Other information requested by the Commission staff.

III. Registrant hereby attests to its compliance with the following requirements in the Service Requirements Form, as well as all pertinent entries and orders issued by the Commission with respect to these issues. Further, registrant hereby affirms that it will maintain with its TRF docket an up-to-date, properly marked, copy of the Service Requirements Form available for public inspection.

Mandatory requirements for all CTS providers:

- ☒ Sales tax
- ☒ Deposits

Service requirements for CTS providers of certain services (check all applicable):

- ☐ Discounts for Persons with Communication Disabilities and the Telecommunication Relay Service
- ☐ Emergency Services Calling Plan
- ☐ Alternative Operator Service (AOS) requirements
- ☐ Limitation of Liability
- ☐ Termination Liability Language

IV. List names, titles, and addresses of those persons authorized to make and/or verify filings at the Commission on behalf of the registrant:

Peter Macaluso, Vice President and Chief Financial Officer
NetMoves Corporation, 399 Thornall Street, Edison, NJ 08837

NOTE: An annual report is required to be filed with the Commission by each company on an annual basis. The annual report form will be sent for completion to the address and individual(s) identified in this Section unless another address or individual is so indicated.

VERIFICATION

William R. Richardson, Jr.

I, Name/Title Counsel, Mail.com, Inc. verify that I have utilized, verbatim, the Commission's 563 Registration Form issued December 21, 1995 and that all of the information submitted here, and all additional information submitted in connection with Case No. ____-____-CT-____ is true and correct to the best of my knowledge.

(Signature)*

(Date)

- * A verification is required for every filing. It may be signed by counsel or a process agent designated by the Registrant, except that initial certification cases (ACE) must be signed by an officer of the registering entity.

Send your completed Registration Form, including all required attachments as well as the required number of copies, to:

Public Utilities Commission of Ohio
Attention: Docketing Division
180 East Broad Street
Columbus, OH 43215-3793

Exhibit ONE

Change of Name of NetMoves Corporation to Mail.com Business Messaging Services, Inc.

NetMoves Corporation ("NetMoves") presently resells intrastate long distance services in Ohio under the name of Digitran Corporation ("Digitran"); NetMoves is authorized to provide those services under tariff as a nondominant reseller by Order No. 74 of the Ohio Public Utilities Commission, dated March 29, 1993, in Case No. 92-909-TP-ACE. Pursuant to and contingent on its impending merger with Mail.com, Inc. ("Mail.com")¹ and on the effectiveness of merger of a newly created, wholly-owned subsidiary of NetMoves into NetMoves,² NetMoves intends to change its corporate name to Mail.com Business Messaging Services, Inc. ("Mail.com Business Messaging"). However, this name change will have no impact on the existing operations of NetMoves that provide regulated services in Ohio. NetMoves (soon-to-be Mail.com Business Messaging) will continue to provide long distance services in Ohio as Digitran. No change will be made to the rates, terms, or conditions of the services that NetMoves, as Digitran, is now authorized to provide; service will continue to be provided under Digitran's existing tariff in Ohio. The name change therefore will be completely transparent to the present customers of NetMoves and to other members of the public.

Because service will continue to be provided under Digitran's existing tariff, NetMoves does not plan to amend or supersede that tariff at this time. NetMoves therefore has not attached

¹ NetMoves filed an application to merge with Mail.com, Inc. ("Mail.com") on February 4, 2000. As explained in that application, the merger will be completely transparent to the present customers of NetMoves or Digitran and to other members of the public. No change will be made to the rates, terms, or conditions of tariffed services, and service will continue to be provided under the existing tariff.

² This second merger is structured to accommodate federal securities laws. Because it contemplates only the merger of NetMoves and a wholly-owned subsidiary of NetMoves, no transfer of control will result.

copies of its existing tariff sheets or of any revised tariff sheets. NetMoves (soon-to-be Mail.com Business Messaging) of course will provide such notice as is required under Ohio law or the rules of the Commission at such time as it revises its tariff to provide service under another name. If the Commission perceives a need for NetMoves to amend its tariff now to reflect NetMoves's corporate name change, NetMoves will promptly satisfy that request.

Exhibit TWO

Change of Name of NetMoves Corporation to Mail.com Business Messaging Services, Inc.

As explained in Exhibit One, the name change contemplated by this application -- from NetMoves Corporation ("NetMoves") to Mail.com Business Messaging Services, Inc. ("Mail.com Business Messaging") -- will be completely transparent to the public and to the existing customers of NetMoves, which does business as Digitran. No change will be made to the rates, terms, or conditions of the services that NetMoves, as Digitran, is currently authorized to provide. Service will continue to be provided in Ohio by Digitran under its existing tariff. The proposed therefore will not disrupt service in any way nor will it cause inconvenience or confusion to existing customers or the general public. NetMoves therefore does not plan to provide separate notice of the name change to its customers at this time; NetMoves of course will provide such notice as is required under Ohio law or the rules of the Commission at such time as it changes the services it now provides to the public. If the Commission perceives a need for NetMoves to provide its customers with special notice of the corporate name change, NetMoves will promptly satisfy that request.