

## DECISION MEMORANDUM

**TO:** COMMISSIONER KJELLANDER  
COMMISSIONER RAPER  
COMMISSIONER ANDERSON  
COMMISSION SECRETARY  
COMMISSION STAFF

**FROM:** DAYN HARDIE  
DEPUTY ATTORNEY GENERAL

**DATE:** DECEMBER 10, 2020

**SUBJECT:** APPLICATION OF LXI-CLEC, LLC AND FATBEAM, LLC FOR APPROVAL TO ASSIGN THE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY HELD BY LXI-CLEC, LLC TO FATBEAM, LLC; CASE NOS. LXI-T-20-05; FZ4-T-20-02.

On November 17, 2020, LXI-CLEC, LLC (“LXI-CLEC”) and Fatbeam, LLC (“Fatbeam”) (“Applicants”) jointly applied for authority for LXI-CLEC, LLC to transfer its certificate of Public Convenience and Necessity No. 498 (“CPCN”) to Fatbeam. The Applicants have entered into an Asset Purchase Agreement (“Agreement”) wherein Fatbeam will acquire certain assets from LXI and associated companies Tekfinity, Tek-Hut, Inc. and Random Investments, LLC (“Companies”). The assets include regulatory authorizations, telecommunications equipment and facilities, certain customer and vendor contracts, and certain rights and agreements with third parties and government agencies.

### STAFF RECOMMENDATION

Staff recommends that the Commission process the Application by Modified Procedure with a 21-day public comment period and 7-day reply period.

### COMMISSION DECISION

Does the Commission wish to process the Application under Modified Procedure with a 21-day public comment period 7-day reply period?



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Dayn Hardie  
Deputy Attorney General