

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Application of First Choice)
Technology, Inc. and NetLojix Telecom, Inc. for) **Case No. XM-2009-0263**
Approval of an Asset Purchase Agreement)

**ORDER DIRECTING NOTICE, AND ESTABLISHING TIME FOR FILING
REQUESTS TO INTERVENE**

Issue Date: January 14, 2009

Effective Date: January 14, 2009

On January 13, 2009, First Choice Technology (“First Choice”) and NetLojix Telecom, Inc. (“NetLojix”) (collectively “Applicants”), filed an application, pursuant to RSMo Section 392.300 and 4 CSR 240-2.060 and 3.525, requesting that the Commission grant them the authority necessary to consummate transactions involving the transfer of NetLojix’s Missouri residential and business long distance customer accounts to First Choice. The Applicants represent that after consummation of the transaction, First Choice will provide telecommunications services to all of the former customers of NetLojix, and NetLojix will cease operations in Missouri and surrender its Missouri certificate of service authority and tariff.

The Commission has determined that proper parties should be given notice and opportunity to intervene in this matter. The Commission finds that proper persons should be allowed 15 days from the issuance of this order to file a request for intervention or a motion for hearing. The Commission will direct its Data Center to send a copy of this order to each competitive local exchange carrier, each incumbent local exchange carrier, and

each intrastate interexchange telecommunications provider certificated to operate in Missouri.

THE COMMISSION ORDERS THAT:

1. The Data Center shall send a copy of this order to each competitive local exchange carrier, each incumbent local exchange carrier, and each intrastate interexchange telecommunications provider certificated to operate in Missouri.

2. Any party wishing to intervene or to request a hearing shall do so by filing an appropriate pleading no later than January 29, 2009, with:

Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

and serve a copy on:

William Steinmeier and Mary Ann (Garr) Young
William D. Steinmeier, P.C.
2031 Tower Drive
P.O. Box 104595
Jefferson City, Missouri 65110-4595

and,

Leon Nowalsky, Esq.
Nowalsky, Bronston & Gothard
3500 North Causeway Blvd., Suite 1442
Metairie, Louisiana 70002

and,

Office of the Public Counsel
Post Office Box 2230
Jefferson City, Missouri 65102

and,

General Counsel
Missouri Public Service Commission
200 Madison Street
Post Office Box 360
Jefferson City, Missouri 65102.

3. This order shall become effective immediately upon issuance.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

Harold Stearley, Senior Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 14th day of January, 2009.