



# PUBLIC NOTICE

**Federal Communications Commission**  
**445 12th St., S.W.**  
**Washington, D.C. 20554**

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**DA 01-244**  
**February 1, 2001**

**4MTV CORPORATION Seeks Commission Determination of "Exempt  
Telecommunications Company" Status Under the Public Utility Holding  
Company Act**

**NSD File No: ETC 01-01**  
**Pleading Cycle Established**

**Comments Due: February 19, 2001    Reply Comments Due: February 26, 2001**

On January 4, 2001, 4MTV Corporation (4MTV), pursuant to section 34(a)(1) of the Public Utility Holding Company Act of 1935 ("PUHCA"), as added by section 103 of the Telecommunications Act of 1996, Pub. L. No. 104-104, filed an application requesting a Commission determination that it is an exempt telecommunications company ("ETC").

The application states that 4MTV Corporation is a wholly owned, private Nevada Corporation. 4MTV will be engaged directly or indirectly through one or more "affiliates" (as defined in PUCHA Section 2 (a)(11)), exclusively in the business of providing telecommunications services, information services, other services or products that are related or incidental to the provision of such products or services within the meaning of PUCHA Section 34(a)(1).

The application states that 4MTV will conduct all of the activities described in this application in conformance with Section 34(b) of the PUCHA, as amended by Section 103 of the 1996 Act, and in accordance with the requirements of the Communications Act of 1934, as amended, and applicable rules, orders, and requirements of this Commission.

The application states that, specifically, 4MTV intends to offer broadband "Internet2" and digital television products and other information network interfaces through affiliate and non-affiliated companies. 4MTV will establish, develop, operate, and maintain a research and development Internet Protocol version 6 (Ipv6) Digital TV (DTV) facility in providing Next Generation Broadband Internet2/DTV-HDTV interfaces for Ipv6 based digital Set Top Boxes (STB) or Personal Computers (PCs) through utility company wireless and landlines. 4MTV intends to offer Ipv6 and DTV MPEG2/MPEG4 network interfaces to Enhanced Service Providers (ESPs) and DTV broadcasters providing broadband Internet, telephony, DTV video, advanced datacast services and on-demand services.

In accordance with 47 C.F.R. section 1.5004, if the Commission does not issue an order denying an ETC application within 60 days of receipt of the application, in this case by March 6, 2001, the application will be deemed granted as a matter of law. In accordance with 47 C.F.R. section 1.5003, a person applying in good faith for a Commission determination of ETC status is deemed to be an ETC from the date of receipt of the application, in this case from January 4, 2001, until the date of Commission action pursuant to 47 C.F.R. section 1.5004. In accord with 47 C.F.R. section 1.5005, the Secretary of the Commission is now notifying the Securities and Exchange Commission (SEC) that the Applicant is deemed to be an exempt telecommunications company. In the event that the Commission issues an order within 60 days of receipt of the application denying the application, the Secretary will so notify the SEC. Otherwise, the Commission will take no further action to grant this application.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's *ex parte* rules. See generally 47 C.F.R. sections 1.1200 - 1.1206. Persons wishing to file comments, regarding the adequacy or accuracy of the Applicants' application requesting status as an ETC, must do so no later than **February 19, 2001**. All comments should also be served on the Applicants. Reply comments must be filed no later than **February 26, 2001**.

Interested parties should file an original and four copies of their comments with the Office of the Secretary, Federal Communications Commission, 445 Twelfth St., SW, Room TW-A325, Washington, D.C. 20554. In addition, parties should send one copy to ITS, at 1231 20th Street, NW, Washington, D.C. 20036 and two copies to Carmell Weathers, Common Carrier Bureau, Network Services Division, FCC, 445 12th Street, SW, Room 6-A320, Washington, D.C. 20554. All filings concerning any of the matters referenced in this Public Notice should refer to NSD file number, **ETC 01-01**.

The application will be available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12<sup>th</sup> Street, SW, Room CY-A257, Washington, DC 20554. The application may also be purchased from the Commission's copy contractor, International Transcription Service, Inc. (ITS), 1231 20<sup>TH</sup> Street, NW, Washington, DC 20036, telephone 202-857-3800, facsimile 202-857-3805, TTY 202-293-8810.

For further information, contact Carmell Weathers, (202) 418-2325 (voice), [cweather@fcc.gov](mailto:cweather@fcc.gov) or Marty Schwimmer, (202) 418-2320 (voice), [mschwimm@fcc.gov](mailto:mschwimm@fcc.gov), of the Network Services Division, Common Carrier Bureau. The TTY number is (202) 418-0484. You may also find more information about Exempt Telecommunications Companies at the NSD website: <http://www.fcc.gov/ccb/nsd/documents/ETC.html>.

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