



PUBLIC NOTICE

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DA 03-3996

Released: December 16, 2003

WIRELINE COMPETITION BUREAU GRANTS CONSENT FOR ACQUISITION OF ASSETS OF ONE CALL COMMUNICATIONS, INC. BY OCMC, INC.

WC Docket No. 02-231

Pursuant to section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and sections 0.91, 0.291, and 63.03 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 63.03, the Wireline Competition Bureau (Bureau) approves the application of OCMC, Inc. (OCMC) to acquire certain telecommunications assets of One Call Internet, Inc. (formerly One Call Communications, Inc.) (One Call) and assume the operation, management and provision of One Call's telecommunications services.¹ No comments were filed opposing grant of the application.

The application was originally accepted for streamlined processing under section 63.03(b)(1)(i) of the Commission's rules because both applicants are non-facilities-based carriers.² However, on September 23, 2002, the Commission released a Notice of Apparent Liability for Forfeiture involving "One Call Communications, Inc. d/b/a Opticom."³ Because the Commission's enforcement proceeding involved issues that could have impacted the Commission's public interest finding with respect to the section 214 application, the application was removed from streamlined processing.⁴ On December, 11, 2003, the Commission released an order adopting a Consent Decree resolving its enforcement proceeding.⁵

¹ See *Domestic Section 214 Application Filed for Consent to Transfer Control of Assets of One Call Communications, Inc. to OCMC, Inc.*, WC Docket No. 02-231, Public Notice, DA 02-2092 (rel. Aug. 27, 2003) (August Public Notice); see also *Amendment to Application to Transfer Control of Domestic Section 214 Authorization from One Call Communications, Inc. to OCMC, Inc.*, WC Docket No. 02-231 (filed Nov. 1, 2002).

² See 47 C.F.R. section 63.03(b)(1)(i); see also August Public Notice at 1.

³ See *One Call Communications, Inc. d/b/a Opticom*, Notice of Apparent Liability for Forfeiture, FCC 02-258 (rel. Sept. 23, 2002).

⁴ See *Notice of Removal of Domestic Section 214 Application From Streamlined Treatment*, WC Docket No. 02-231, Public Notice, DA 02-1430 (released Sept. 26, 2002).

⁵ See *One Call Communications, Inc. d/b/a Opticom; Operator Service Provider Requirements*, File No. EB-02-TC-003, Order, FCC 03-317 (rel. Dec. X, 2003).

The Bureau finds, upon consideration of the record, that the proposed transfer will serve the public interest, convenience and necessity, and therefore grants the requested authorization.⁶ Pursuant to section 1.103 of the Commission's rules, 47 C.F.R. § 1.103, the consent granted herein is effective upon the release of the Public Notice. Petitions for reconsideration under section 1.106 or applications for review under section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of this Public Notice.

For further information, please contact Tracey Wilson, at (202) 418-1394 or Dennis Johnson, Competition Policy Division, Wireline Competition Bureau at (202) 418-0809.

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⁶ *Bell Atlantic New Zealand Holdings, Inc., Transferor, and Pacific Telecom Inc., Transferee, Applications for Consent to Transfer Control of a Submarine Cable Landing License, International and Domestic Section 214 Authorizations, a Cellular Radiotelephone License, Common Carrier and Non-Common Carrier Satellite Earth Station Licenses, and a Petition for Declaratory Ruling Pursuant to Section 310(b)(4) of the Communications Act*, IB Docket No. 03-115, Order and Authorization, DA 03-3563 (Int'l Bur., WCB, WTB) (rel. Nov. 6, 2003) (granting a transfer of control after the Department of Justice completed a review of foreign ownership issues).