



# PUBLIC NOTICE

Federal Communications Commission  
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**DA 05-1277**

**Released: May 2, 2005**

**DOMESTIC SECTION 214 APPLICATION FILED FOR  
TRANSFER OF CONTROL OF TGEC COMMUNICATIONS CO., LLC D/B/A FIRST  
WORLD CONNECT, ALSO D/B/A FREE CHOICE COMMUNICATIONS  
TO PACIFIC CENTREX SERVICES, INC. D/B/A PCSI**

**STREAMLINED PLEADING CYCLE ESTABLISHED**

**WC Docket No. 05-179**

**Comments Due: May 16, 2005**

**Reply Comments Due: May 23, 2005**

On April 21, 2005, TGEC Communications Co., LLC d/b/a First World Connect, also d/b/a Free Choice Communications (“TGEC”) and Pacific Centrex Services, Inc. d/b/a PCSI (“PCSI”) (“collectively Applicants”), pursuant to section 63.03 and 63.04 of the Commission’s rules,<sup>1</sup> filed an application requesting authority for the transfer of control of TGEC to PCSI.<sup>2</sup>

Applicants assert that this transaction is entitled to presumptive streamlined treatment pursuant to section 63.03(b)(2)(i) of the Commission’s rules because (1) the proposed transfer will result in PCSI having less than a ten percent (10%) share of the interstate, interexchange market; (2) local exchange services will be provided in geographic areas served by a dominant local exchange carrier who is not a party to the transfer and; (3) neither TGEC nor PCSI is a dominant carrier with respect to any service.<sup>3</sup>

TGEC is a privately held limited liability company organized under the laws of the state of California. TGEC is authorized to provide local exchange and intrastate interexchange

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<sup>1</sup> 47 C.F.R §§ 63.03, 63.04; *see* 47 U.S.C. § 214.

<sup>2</sup> Applicants are also filing applications for transfer of control associated with authorization for international services. Any action on this domestic 214 application is without prejudice to Commission action on other related, pending applications.

<sup>3</sup> 47 C.F.R § 63.03(b)(2)(i).

telecommunications services in California. TGEC is also authorized to provide interstate interexchange and international telecommunications services.

PCSI is a privately held corporation organized pursuant to the laws of the state of California. PCSI is authorized to provide local exchange and intrastate interexchange telecommunications services in fourteen states, including California. At the present time, PCSI is operating in California and Illinois only. PCSI is also authorized to provide interstate interexchange and international telecommunications services. PCSI has no affiliated companies and is 50% owned by M. Devin Semler, a U.S. Citizen and 50% owned by Lisa Semler, a U.S. citizen.

On April 15, 2005, Applicants entered into an agreement whereby, upon consummation of the transfer, PCSI will own 100% of the outstanding Capital Units ownership interests in TGEC. TGEC will remain a separate company, wholly-owned and operated by PCSI. TGEC is currently authorized to provide interstate interexchange and international telecommunications services and will continue to operate after the transfer.

Applicants assert that the proposed transfer of control is consistent with the public interest. Applicants state that the transfer of control will benefit consumers of domestic telecommunications market. According to the Applicants, the benefits of competition will include lower prices and increased availability of a variety of service options. The proposed transfer will be transparent to customers, and will not result in the change of any rate, term or condition of service. Moreover, TGEC will continue to market, brand and bill its services in the same name. Significantly, customers should benefit from the proposed transaction, as it will ensure continuity of their telecommunications services. The Applicants add that the proposed transaction will improve its overall financial condition by replacing high cost debt with lower cost debt, improving cash flow and thus enabling realization of significant economic and marketing efficiencies, thereby allowing the Applicants to compete more effectively and efficiently in the competitive telecommunications marketplace, and enhancing its ability to offer high-quality cost-competitive services.

## **GENERAL INFORMATION**

The transfer of control identified herein has been found, upon initial review, to be acceptable for filing as a streamlined application. The Commission reserves the right to return any application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Interested parties may file **comments on or before May 16, 2005** and **reply comments on or before May 23, 2005**.<sup>4</sup> Unless otherwise notified by the Commission, this application will be deemed granted on the 31<sup>st</sup> day after the date of this notice.<sup>5</sup> Comments may be filed using the Commission's Electronic

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<sup>4</sup> See 47 C.F.R. § 63.03(a).

<sup>5</sup> Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.

Comment Filing System (ECFS) or by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 Fed. Reg. 24121 (1998).

Comments filed through the ECFS can be sent as an electronic file via the Internet to <<http://www.fcc.gov/e-file/ecfs.html>>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include the following words in the subject line “get form <your e-mail address>.” A sample form and directions will be sent in reply.

Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission’s contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission’s Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW, Washington, D.C. 20554. All filings must be addressed to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission.

**In addition, one copy of each pleading must be sent to each of the following:**

- (1) The Commission’s duplicating contractor, Best Copy and Printing, Inc., 445 12<sup>th</sup> Street, S.W., Room CY-B402, Washington, D.C. 20554; e-mail: [www.bcpweb.com](http://www.bcpweb.com); phone: 202-488-5300 fax: 202-488-5563;
- (2) Tracey Wilson-Parker, Competition Policy Division, Wireline Competition Bureau, 445 12<sup>th</sup> Street, S.W., Room 5-C437, Washington, D.C. 20554; e-mail: [tracey.wilson-parker@fcc.gov](mailto:tracey.wilson-parker@fcc.gov);
- (3) Denise Coca, Competition Policy Division, Wireline Competition Bureau, 445 12<sup>th</sup> Street, S.W., Room 5-C330, Washington, D.C. 20554; e-mail: [denise.coca@fcc.gov](mailto:denise.coca@fcc.gov);
- (4) Renee R. Crittendon, Competition Policy Division, Wireline Competition Bureau, 445 12<sup>th</sup>

Street, S.W., Room 5-C311, Washington, D.C. 20554; e-mail: [renee.crittendon@fcc.gov](mailto:renee.crittendon@fcc.gov);

(5) Susan O'Connell, Policy Division, International Bureau, 445 12<sup>th</sup> Street, S.W., Room 7-B544, Washington, D.C. 20554; email: [susan.o'connell@fcc.gov](mailto:susan.o'connell@fcc.gov); and

(6) James Bird, Office of General Counsel, 445 12<sup>th</sup> Street, S.W., Room 8-C740, Washington, D.C. 20554; e-mail: [james.bird@fcc.gov](mailto:james.bird@fcc.gov).

Filings and comments are also available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC, 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC, 20554, telephone: 202-488-5300, fax: 202-488-5563, or via e-mail [www.bcpweb.com](http://www.bcpweb.com).

For further information, please contact Tracey Wilson-Parker, at (202) 418-1394, or Denise Coca at (202) 418-0574.

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