



# PUBLIC NOTICE

Federal Communications Commission  
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Washington, D.C. 20554

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**DA 05-1509**  
**Released: May 25, 2005**

**DOMESTIC SECTION 214 APPLICATION FILED FOR ACQUISITION OF ASSETS  
OF TRANSTEL COMMUNICATIONS, INC., TEL AMERICA OF SALT LAKE CITY,  
INC., EXTELCOM, INC., TO UCN, INC.**

**STREAMLINED PLEADING CYCLE ESTABLISHED**

**WC Docket No. 05-198**

**Comments Due: June 8, 2005**

**Reply Comments Due: June 15, 2005**

On May 19, 2005, UCN, Inc. (“UCN” or “Transferee”) and Transtel Communications, Inc. (“Transtel”), on behalf of its wholly-owned subsidiaries, Tel America of Salt Lake City, Inc. (“Tel America”), and Extelcom, Inc., d/b/a Express Tel (“Express Tel”) (collectively, “the Transtel Companies” or “Transferors”) (together with UCN, “Applicants”), filed an application pursuant to section 63.03 and 63.04 of the Commission’s rules,<sup>1</sup> requesting authority to enable UCN to acquire certain assets of the Transtel Companies. UCN and the Transtel Companies are all non-dominant carriers authorized by the Commission to provide international and domestic telecommunications services.<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) UCN and its affiliates combined will hold less than a ten percent (10%) share of the interstate, interexchange market; (2) UCN and its affiliates will provide local exchange service only in areas served by a dominant local exchange carrier (none of which are parties to the proposed transactions); and (3) neither UCN nor the Transtel Companies are dominant with respect to any service.<sup>3</sup>

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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).

Transtel, a Delaware corporation, does not provide telecommunications services. Transtel is the parent company and 100% owner of Tel America and Express Tel. Tel America provides resold switched and dedicated intrastate interLATA, interstate and international telecommunications services on a common carrier basis to business and residential customers in Colorado and Utah. Express Tel provides switched and dedicated intrastate interLATA, interstate and international telecommunications services on a common carrier basis to business and residential customers in California, Nevada and Arizona.

UCN, a publicly traded Delaware corporation, provides resold switched and dedicated intrastate interLATA, interstate and international telecommunications services on a common carrier basis to business and residential customers throughout the continental United States, District of Columbia and Hawaii. UCN is not a foreign carrier and is not affiliated with a foreign carrier. No individual shareholder or corporation holds a ten percent (10%) or greater ownership interest in UCN.

On May 1, 2005, UCN and the Transtel Companies entered into an Asset Purchase Agreement (“Agreement”). Pursuant to the terms and subject to the conditions of the Agreement, UCN will purchase from the Transtel Companies certain assets and assume certain liabilities relating to the Transtel Companies’ long distance customer accounts (“Customer Base”). UCN will also acquire certain assets required to serve the customers’ accounts, including customer data and records. Upon consummation of the proposed transaction, UCN will become the carrier of record for the Customer Base currently served by the Transtel Companies.

Applicants assert consummation of the proposed transaction will serve the public interest by promoting competition in the domestic and international telecommunications market. UCN will be able to strengthen its competitive position by combining the Transtel Companies’ Customer Base with UCN’s current services, products, expertise and economies of scale. The Applicants state the proposed transaction will also ensure that the affected Customer Base continues to receive uninterrupted telecommunications 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 June 8, 2005** and **reply comments on or before June 15, 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) Erin Boone, Competition Policy Division, Wireline Competition Bureau, 445 12<sup>th</sup> Street, S.W., Room 5-C347, Washington, D.C. 20554; e-mail: [erin.boone@fcc.gov](mailto:erin.boone@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 Erin Boone at (202) 418-0064.

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