



# PUBLIC NOTICE

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**DA 06-1149**  
**Released: May 30, 2006**

## NOTICE OF REMOVAL OF DOMESTIC SECTION 214 APPLICATION FROM STREAMLINED TREATMENT

### WC Docket No. 06-85

The application listed in this notice has been removed from streamlined treatment pursuant to the Commission's streamlined procedures for domestic section 214 transfer of control applications.<sup>1</sup> Section 63.03(c)(1)(v) of the Commission's rules provides that at any time after an application is filed, the Commission, acting through the Chief of the Wireline Competition Bureau, may notify an applicant that its application is being removed from streamlined processing where the Commission "determines that the application requires further analysis to determine whether a proposed transfer of control would serve the public interest."<sup>2</sup>

### **Domestic Section 214 Application Filed for the Transfer of Control of Conversent Communications, Inc. Subsidiaries from Conversent Communications, Inc. to CTC Communications Group, Inc. and Choice One Communications Inc., WC Docket No. 06-85**

On May 8, 2006, the Commission released a public notice accepting for streamlined processing a domestic section 214 application involving CTC Communications Group, Inc. ("CTC Group"), Choice One Communications Inc. ("Choice One"), and Conversent Communications, Inc. ("Conversent") (collectively the "Applicants").<sup>3</sup> Specifically, the Applicants request authority to transfer control of the Conversent subsidiaries as a result of the acquisition of Conversent by CTC Group and Choice One.<sup>4</sup> On May 22, 2006, the Department

<sup>1</sup> 47 C.F.R. § 63.03; *Implementation of Further Streamlining Measures for Domestic Section 214 Authorizations*, 17 FCC Rcd 5517 (2002) (*Streamlining Order*).

<sup>2</sup> See 47 C.F.R. § 63.03(c)(1)(v).

<sup>3</sup> *Domestic Section 214 Application Filed For the Transfer of Control of Conversent Communications, Inc. Subsidiaries from Conversent Communications, Inc. to CTC Communications Group, Inc. and Choice One Communications Inc.*, WC Docket No. 06-85, Public Notice, DA 06-995 (rel. May 8, 2006).

<sup>4</sup> The Applicants state that this application assumes the grant of the CTC Group/Choice One Merger application, which is currently pending. See *Domestic Section 214 Application filed for the Transfer of Control of the CTC Communications Group, Inc. and the Choice One Communications, Inc. Subsidiaries to Surviving*

of Homeland Security with the concurrence of the Department of Justice, including the Federal Bureau of Investigation (collectively, the “Executive Branch Agencies”), filed with the Commission a letter requesting that the Commission defer grant of this application while the Executive Branch Agencies address potential national security, law enforcement, and public safety concerns.<sup>5</sup>

This application is being removed from streamlined review in response to the request filed by the Executive Branch Agencies. Final action on this application should be expected once the Commission has received notification from the Executive Branch Agencies that the evaluation has been completed, but not later than 180 days from public notice that the application was accepted for filing.<sup>6</sup>

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

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*Corporation*, WC Docket No. 06-47, Public Notice, DA 06-667 (rel. March 27, 2006); *see also Notice of Removal of Domestic Section 214 Application from Streamlined Treatment*, Public Notice, DA 06-873 (rel. April 18, 2006).

<sup>5</sup> *See* Letter from Stewart A. Baker, Assistant Secretary for Policy, United States Department of Homeland Security, to Marlene H. Dortch, FCC, WC Docket No. 06-85 and ITC-T/C-20060410-00227 (dated May 22, 2006). *See also* Letter from Stewart A. Baker, Assistant Secretary for Policy, United States Department of Homeland Security, to Marlene H. Dortch, FCC, WC Docket No. 06-85 and ITC-T/C-20060410-00227, ITC-T/C-20060410-00228, and ITC-T/C-20060410-00229 (dated May 24, 2006) (the Executive Branch filed a revised letter which added application numbers (ITC-T/C-20060410-00228, ITC-T/C- 20060410-00229) and deleted the word "not" from the first sentence of second paragraph of the document).

<sup>6</sup> *See* 47 C.F.R. § 63.03(c)(2).