



PUBLIC NOTICE

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

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Internet: <http://www.fcc.gov>
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DA 06-1410
Released: July 7, 2006

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF
CONTROL OF GLOBAL INTERNETWORKING, INC. TO
MERCATOR PARTNERS ACQUISITION CORP.**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 06-128

Comments Due: July 21, 2006

Reply Comments Due: July 28, 2006

On June 23, 2006, Mercator Partners Acquisition Corp. (“MPAC”) and Global Internetworking, Inc. (“Global Internetworking”) (collectively, the “Applicants”), filed an application, pursuant to section 63.04 of the Commission’s rules,¹ requesting authority to transfer control of Global Internetworking to MPAC.²

Applicants assert that this transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(i) of the Commission’s rules because the proposed transaction will result in: (1) Applicants and their affiliates holding less than a 10% share of the interstate, interexchange market; (2) Applicants and their affiliates providing local exchange service, if at all, only in areas served by dominant local exchange carriers (none of which is a party to the proposed transactions); and (3) none of the Applicants or their affiliates are dominant with respect to any service.³

Global Internetworking, a privately-held Virginia corporation, provides high-capacity data transport and bandwidth solutions to carriers, service providers, systems integrators, government agencies and medium-to large-sized enterprises. Global Internetworking is

¹ 47 C.F.R. § 63.04; *see* 47 U.S.C. § 214.

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

³ *See* 47 C.F.R. § 63.03(b)(2)(i).

authorized to provide intrastate long distance and in some instances, local services, in approximately 25 states.⁴ The following individuals own a 10% or greater interest in Global Internetworking: D. Michael Keenan, a U.S. citizen (45%); Todd J. Vecchio, a U.S. Citizen (45%); and Raymond Wiseman, a U.S. citizen (10%).

MPAC, a publicly held Delaware corporation, is primarily an investment holding company that does not directly provide telecommunications services in any jurisdiction.⁵ Applicants state that to the best of their knowledge, no single person or entity will hold a 10% or greater direct or indirect voting or equity interest in MPAC following the proposed transaction.

Applicants propose to complete a transaction whereby MPAC will acquire 100% of the issued and outstanding capital stock (the “Shares”) of Global Internetworking. After regulatory approval, each Global Internetworking stockholder will sell his Shares to MPAC, and MPAC shall purchase such Shares from each stockholder.

Applicants state that the proposed transaction will serve the public interest because: (1) the transaction will increase competition in the interstate and international markets by reinforcing and enhancing the status of Global Internetworking as a viable competitor; (2) the transaction will be entirely transparent to Global Internetworking’s existing customers; and (3) Global Internetworking’s customers will continue to receive service under the same rates, terms and conditions of service as before the transaction.

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 transfer of control application if, upon further examination, it is determined to be defective and not in conformance with the Commission’s rules and policies. Pursuant to sections 1.415 and 1.419 of the Commission’s rules, 47 CFR §§ 1.415, 1.419, interested parties may file **comments on or before July 21, 2006** and **reply comments on or before July 28, 2006**.⁶ Unless otherwise notified by the Commission, Applicants are permitted to transfer the assets and related control on

⁴ Global Internetworking provides telecommunications services in the following states: Alabama, Alaska, Arizona, California, Colorado, Connecticut, District of Columbia, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Maine, Louisiana, Maryland, Massachusetts, Michigan, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Virginia, Washington, West Virginia, and Wisconsin. Global Internetworking provides competitive local services in the following states: California, Florida, Illinois, Maryland, New York, Pennsylvania, and Texas.

⁵ MPAC is in the process of acquiring European Telecommunications & Technology (“ETT”), a non-dominant carrier authorized to provide telecommunications services in Singapore and the United Kingdom formed under the laws of England and Wales. This acquisition is expected to close at or around the same time as the instant transaction, making ETT a wholly owned direct subsidiary of MPAC.

⁶ See 47 C.F.R. § 63.03(a).

the 31st day after the date of this notice.⁷ Comments may be filed using: (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/> or the Federal eRulemaking Portal: <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
- For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers 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, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.
- Paper Filers: 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, filers 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). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

The Commission's contractor 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, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington D.C. 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov

⁷ Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.

or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

You may submit comments, identified by the above noted docket number, by any of the following methods:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Federal Communications Commission's Web Site: <http://www.fcc.gov/cgb/ecfs/>. Follow the instructions for submitting comments.
- People with Disabilities: Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by e-mail: FCC504@fcc.gov or phone: 202-418-0530 or TTY: 202-418-0432.

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 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, www.bcpweb.com; phone: (202) 488-5300 fax: (202) 488-5563;
- (2) Cecilia Seppings, Competition Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-C230, Washington, D.C. 20554; email: cecilia.seppings@fcc.gov;
- (3) Adam Kirschenbaum, Competition Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-C211, Washington, D.C. 20554; e-mail: adam.kirschenbaum@fcc.gov;
- (4) Susan O'Connell, Policy Division, International Bureau, 445 12th Street, S.W., Room 7-B544, Washington, D.C. 20554; email: susan.o'connell@fcc.gov; and
- (5) James Bird, Office of General Counsel, 445 12th Street, S.W., Room 8-C824, Washington, D.C. 20554; e-mail: 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, S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CYB402, Washington, D.C. 20554, telephone: (202) 488-5300, fax: (202) 488-5563, or via e-mail www.bcpweb.com.

For further information, please contact Cecilia Seppings at (202) 418-1588, or Adam Kirschenbaum at (202) 418-7280.

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