



PUBLIC NOTICE

Federal Communications Commission
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DA 06-1598
Released: August 7, 2006

DOMESTIC SECTION 214 APPLICATION FILED THE ACQUISITION OF ASSETS OF GLOBAL TELDATA II, LLC BY GLOBAL TELDATA, LLC

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 06-138

Comments Due: August 21, 2006
Reply Comments Due: August 28, 2006

On July 6, 2006, Global TelData II, LLC ("GTI") and Global TelData, LLC ("Global TelData") (together, the "Applicants"), filed an application, pursuant to section 63.04 of the Commission's rules,¹ requesting authority to the transfer of certain assets of GTI to Global TelData.²

Applicants submit that this transaction is entitled to presumptive streamlined treatment under 63.03(b)(2)(i) of the Commission's rules because (i) the transferee will have a market share in the interstate interexchange market of less than 10 percent (10%), (ii) the transferee will provide competitive telephone exchange services or exchange access services (if at all) exclusively in geographic areas served by a dominant local exchange carrier that is not a party to the proposed transaction, and; (iii) neither of the Applicants is dominant with respect to any service.³

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 authorization for international services. Any action on this domestic 214 application is without prejudice to Commission action on other related, pending applications. On July 21, 2006, Applicants filed a supplement to their original application. *See* Letter from Benjamin W. Bronston, Bronston, Nowalsky & Gothard, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 06-138 (filed July 21, 2006). Applicants filed another supplement on August 2, 2006. *See* Letter from Benjamin W. Bronston, Bronston, Nowalsky & Gothard, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 06-138 (filed August 2, 2006).

³ 47 C.F.R. § 63.03(b)(2)(i).

GTI, an Illinois limited liability company, provides resold local and competitive resold long distance services to primarily residential customers in Illinois. The following persons or entities hold a 10 percent or greater interest in GTI: Mark Lieberman, a U.S. citizen (26.7%); Don Winton, a U.S. citizen (34.93%); Sigmund Eisenschenk, a U.S. citizen (10.96%); Exit North II, an Illinois limited liability company (27.4%). Exit North II is owned by Don Winton, a U.S. citizen (80%), Sigmund Eisenschenk, a U.S. citizen (10%), and Tom Papoutsis, a U.S. citizen (10%). There is no other person or entity which has a 10% or greater interest in GTI.

Global TelData, a Delaware limited liability company, is authorized to provide interstate and international telecommunications services in all 50 states. Global TelData does not currently provide any service, but is in the process of applying for a license to provide competitive resold local and competitive resold long distance services in Illinois. Global TelData is owned entirely by the following U.S. citizens or entities: Timothy Sledz (50%) and Brian Sledz (50%). Applicants state that there is no other person or entity which has a 10% or greater interest in Global TelData. Neither of the foregoing persons own a 10% or greater interest in any incumbent or other carrier, except that Timothy Sledz and Brian Sledz each own 50% of Network US, Inc. d/b/a CA Affinity. Network US, Inc., an Illinois corporation, provides competitive resold long distance services to residential and business customer in each of the forty-eight contiguous United States.

On May 17, 2006, GTI and Global TelData entered into an Asset Purchase Agreement whereby Global TelData will purchase certain telecommunications assets of GTI including, but not limited to, customer accounts, customer premise equipment, computers, and phones. The proposed transaction will not result in any change in ownership of GTI.

The Applicants state that the proposed transaction serves the public interest, convenience and necessity. Applicants assert that the proposed transaction will create operating efficiencies which will serve to enhance the overall capacity of Global TelData to compete in the marketplace and to provide telecommunications services for a greater number of consumers at competitive rates. The applicants also state that the customers of GTI will benefit from the resources and assets of Global TelData, which will help ensure continuity of service and enhance the ability of Global TelData to offer a broader range of innovative products and services to customers.

GENERAL INFORMATION

The transfer of assets 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 assets 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 August 21, 2006 and reply comments on or before August 28, 2006.**⁴

⁴ See 47 C.F.R. § 63.03(a).

Unless otherwise notified by the Commission, Applicants are permitted to transfer the assets and related control on the 31st day after the date of this notice.⁵ 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

⁵ 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.bcpiweb.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) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-B155, Washington, D.C. 20554; e-mail: dennis.johnson@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) Jim Bird, Office of General Counsel, 445 12th Street, S.W., Room 8-C824, Washington, D.C. 20554; e-mail: jim.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.bcpiweb.com. For further information, please contact Cecilia Seppings at (202) 418-1588, or Dennis Johnson at (202) 418-0809.

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