



# PUBLIC NOTICE

Federal Communications Commission  
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DA 06-2012  
October 11, 2006

## DOMESTIC AUTHORIZATION GRANTED

**Application Filed for the Transfer of Assets of  
Supra Telecommunications and Information Systems, Inc. to  
Cleartel Communications, Inc., Supra Telecommunications and Information Systems  
Acquisition Corp., and Cleartel Telecommunications, Inc.**

**WC Docket No. 06-164**

### **By the Chief, Wireline Competition Bureau:**

On July 31, 2006, Cleartel Communications, Inc. (“CCI”), Supra Telecommunications and Information Systems Acquisition Corp. (“New Supra”), and Cleartel Telecommunications, Inc. (“CTI”) (collectively “Transferees”), filed an application, pursuant to section 63.04 of the Commission’s rules,<sup>1</sup> requesting authority to transfer certain assets from Supra Telecommunications and Information Systems, Inc. (“Old Supra”) (together with Transferees, “Applicants”) to Transferees.

The Commission released a public notice accepting the application for streamlined processing on August 30, 2006.<sup>2</sup> On September 11, 2006, the Wireline Competition Bureau removed the application from streamlined review for further consideration to determine whether the proposed transfer of control would serve the public interest.<sup>3</sup>

The Wireline Competition Bureau finds, upon consideration of the record, that grant of the application, subject to compliance with the conditions described below, will serve the public interest, convenience, and necessity. Upon consummation of the transaction, the resulting entity

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

<sup>2</sup> *Domestic Section 214 Application Filed for Transfer of Assets of Supra Telecommunications and Information Systems, Inc. to Cleartel Communications, Inc., Supra Telecommunications and Information Systems Acquisition Corp., and Cleartel Telecommunications, Inc.*, WC Docket No. 06-164, Public Notice, DA 06-1744 (rel. Aug. 30, 2006). Applicants have also filed an application 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> *Notice of Removal of Domestic Section 214 Application from Streamlined Treatment*, WC Docket No. 06-164, DA 06-1801 (rel. Sept. 11, 2006).

will have a market share in the U.S. interstate interexchange market of less than 10 percent, and 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 transaction. In addition, no party to the transaction is dominant with respect to any service.

Consistent with Commission precedent, the Wireline Competition Bureau imposes the following conditions on the Applicants to ensure that the transferred assets are operated properly going forward, consistent with applicable law, including universal service statutory and regulatory requirements.<sup>4</sup> Specifically, as of the date of the closing of this transaction and as a condition of the grant of the Application, the Applicants will each (i) have paid and satisfied all their required contributions (including all delinquent USF contributions) and other financial obligations to the Commission, and as applicable, the Universal Service Fund, North American Numbering Plan, and Telecommunications Relay Service, and (ii) have made adequate provision to pay, and will pay when due, all required contributions, including accrued but not yet invoiced amounts. We leave it to the Applicants to resolve the details; however, we require Applicants either to pay at closing or to escrow funds for payment to the Universal Service Administrative Company (USAC) amounts sufficient to satisfy the Universal Service Fund contributions that are payable on October 13, 2006 and will be payable on November 15, 2006.<sup>5</sup> Immediately following the tender of payments to USAC, the Applicants shall submit to the Bureau proof of payment. Applicants are responsible for assuring timely payment of the amounts invoiced. Subject to Applicants' compliance with these conditions, and pursuant to section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 0.291 of the Commission's rules,<sup>6</sup> the Wireline Competition Bureau hereby grants the application discussed in this Public Notice.

Pursuant to section 1.103 of the Commission's rules, the grant is effective upon release of this Public Notice.<sup>7</sup> Petitions for reconsideration under section 1.106 or applications for review under section 1.115 of the Commission's rules may be filed within 30 days of the date of this Public Notice.<sup>8</sup>

For further information, please contact Jodie May at (202) 418-0913, Competition Policy Division, Wireline Competition Bureau.

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<sup>4</sup> See *Cass County Telephone Company, Limited Partnership, and LEC Long Distance, Inc., d/b/a CassTel Long Distance, Transferors, Fairpoint Communications, Inc., Fairpoint Communications Missouri, Inc., ST Long Distance Inc., d/b/a Fairpoint Communications Long Distance, Transferees, Application for Authorization Pursuant to Section 214 of the Communications Act of 1934, as Amended, for Transfer of Control of Blanket Domestic Section 214 Authority and Certain Telecommunications Assets*, WC Docket No. 06-64, Order, DA 06-1489 (rel. July 20, 2006) (citing 47 U.S.C. § 254).

<sup>5</sup> Before closing, Old Supra may request from USAC the amount of the required contribution due on November 15, 2006.

<sup>6</sup> 47 C.F.R. § 0.291.

<sup>7</sup> See 47 C.F.R. § 1.103.

<sup>8</sup> See 47 C.F.R. §§ 1.106, 1.115.