



PUBLIC NOTICE

Federal Communications Commission
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DA 07-5049
Released: December 19, 2007

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF
EGIX NETWORK SERVICES, INC. AND EGIX, INC. TO
CINCINNATI BELL ANY DISTANCE INC.**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 07-295

Comments Due: January 2, 2008
Reply Comments Due: January 9, 2008

The following application was filed pursuant to section 63.03 of the Commission's rules requesting approval to transfer control of eGix Network Services, Inc. (ENS) and eGix, Inc. (eGix) to Cincinnati Bell Any Distance Inc. (CBAD).¹ ENS, an Indiana corporation, provides interstate and intrastate long distance and resold local exchange services in Indiana and Illinois. eGix, also an Indiana corporation, resells the services of ENS in Indiana and Illinois. CBAD, a Delaware corporation, provides interstate long distance services nationwide and intrastate long distance and resold local exchange services in various exchanges in Ohio, Kentucky, and Indiana. CBAD is an indirect, wholly owned subsidiary of Cincinnati Bell Inc., an Ohio corporation that owns 100 percent of Cincinnati Bell Telephone Company LLC, an Ohio limited liability company that provides incumbent local exchange service in certain exchanges in Ohio, Kentucky, and Indiana.² Applicants state that Cincinnati Bell Inc. is a publicly traded entity with no person or entity owning 10 percent or more of the equity of the company. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(ii) of the Commission's rules, and that a grant of the application will serve the public interest, convenience, and necessity.³

Application Filed for the Transfer of Control of eGix Network Services, Inc. and eGix, Inc. to Cincinnati Bell Any Distance Inc., WC Docket No. 07-295 (filed Dec. 14, 2007).

¹ 47 C.F.R. § 63.03; *see* 47 U.S.C. § 214. 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.

² Applicants state that ENS and eGix provide competitive services exclusively outside the geographic areas where Cincinnati Bell Telephone Company LLC is dominant.

³ 47 C.F.R. § 63.03(b)(2)(ii).

GENERAL INFORMATION

The Wireline Competition Bureau finds, upon initial review, that the transfer of assets identified herein is acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 C.F.R. § 63.03(a), interested parties may file comments **on or before January 2, 2008**, and reply comments **on or before January 9, 2008**. Unless otherwise notified by the Commission, the Applicants may transfer assets on the 31st day after the date of this notice.⁴ Comments must be filed electronically using (1) the Commission's Electronic Comment Filing System (ECFS) or (2) the Federal Government's eRulemaking Portal. See 47 C.F.R. § 63.03(a) ("All comments on streamlined applications shall be filed electronically . . ."); *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- 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.

In addition, email one copy of each pleading to each of the following:

- 1) The Commission's duplicating contractor, Best Copy and Printing, Inc., fcc@bcpiweb.com; phone: 202 / 488-5300; fax: 202 / 488-5563;
- 2) Tracey Wilson-Parker, Competition Policy Division, Wireline Competition Bureau, tracey.wilson-parker@fcc.gov;
- 3) Jodie May, Competition Policy Division, Wireline Competition Bureau, jodie.may@fcc.gov;
- 4) David Krech, International Bureau, Policy Division, International Bureau, david.krech@fcc.gov; and
- 5) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

Filings and comments are 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,

⁴ Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.

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 CY-B402, Washington, D.C. 20554; telephone: 202 / 488-5300; fax: 202 / 488-5563; email: fcc@bcpiweb.com; url: www.bcpiweb.com.

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For further information, please contact Tracey Wilson-Parker at 202 / 418-1394 or Jodie May at 202 / 418-0913.

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