



PUBLIC NOTICE

Federal Communications Commission
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DA 08-1911
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DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF GLOBALCOM, INC. TO FIRST COMMUNICATIONS, INC.

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 08-161

Comments Due: August 28, 2008

Reply Comments Due: September 4, 2008

On August 6, 2008, Globalcom, Inc., (Globalcom) and First Communications, Inc. (FCI, collectively Applicants) filed an application pursuant to section 63.03 of the Commission's rules requesting approval to transfer control of Globalcom to FCI.¹ Globalcom, an Illinois corporation, is a wholly owned subsidiary of GCI Globalcom Holdings, Inc. (GCI), a Delaware corporation. Globalcom is authorized to provide competitive local and/or long distance services in multiple states and provides service primarily to small and medium sized business customers in the Chicago, Illinois area. FCI, a Delaware corporation, provides competitive local and/or long distance services in all states, except Alaska, through its U.S. based operating subsidiaries, First Communications, LLC and Xtension Services, Inc. The following U.S.-based entities own at least 10 percent of the equity of FCI: McKinley Communications, LLC (24.98 percent), FirstEnergy Corp. (15.60 percent),² and Gores FC Holdings, LLC (13.01 percent). Gores FC Holdings, LLC is ultimately controlled by the Gores Group, LLC and its managing member, Alec E. Gores, a U.S. citizen.³ Applicants state that, through Gores FC Holdings, LLC, FCI is affiliated with Global Tel*Link Corporation, a Delaware corporation that provides competitive interstate services in multiple states, mostly to prepaid and inmate customers. Pursuant to the terms of the proposed transaction, FCI has created a new merger subsidiary, First Global Telecom, Inc., a

¹ 47 C.F.R. § 63.03; *see* 47 U.S.C. § 214. Applicants are also filing an application for transfer of control associated with authorization for international services. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications. Applicants filed a supplement to their domestic section 214 application on August 13, 2008.

² Applicants state that McKinley Communications, LLC is owned (84 percent) by Marbel Investments, LLC, which is owned by the following U.S. citizens and U.S.-based entity: Marshall Belden (25 percent); Timothy Belden (25 percent); Susan Belden (25 percent), and Kismet Foundation (25 percent). They further state that no shareholder owns or controls 10 percent or more of the equity of FirstEnergy Corp.

³ Applicants state that three U.S.-based limited partnerships own 10 percent or more of the equity of Gores FC Holdings, LLC: Gores Alternative Investment I, L.P. (44.1 percent), Gores Alternative Investments II, L.P. (20.76 percent), and Gores Co-Invest Partnership, L.P. (22.5 percent). In addition, Gores Capital Advisors, LLC, a U.S.-based limited liability company, owns 10 percent of Gores FC Holdings, LLC and is the general partner of the three limited partnerships.

Delaware corporation that will merge with GCI, with GCI surviving. As a result, GCI will be a wholly-owned subsidiary of FCI, and FCI will indirectly control Globalcom.

Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(i) of the Commission's rules and that a grant of the application will serve the public interest, convenience, and necessity.⁴

Application Filed for the Transfer of Control of Globalcom, Inc. to First Communications, Inc., WC Docket No. 08-161 (filed Aug. 6, 2008).

GENERAL INFORMATION

The Wireline Competition Bureau finds, upon initial review, that the transfer of control identified herein is 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 section 63.03(a) of the Commission's rules, 47 C.F.R. § 63.03(a), interested parties may file comments **on or before August 28, 2008**, and reply comments **on or before September 4, 2008**. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.⁵ 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;

⁴ 47 C.F.R. § 63.03(b)(2)(i).

⁵ Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.

- 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;
- 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, 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@bcpweb.com; url: www.bcpweb.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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