



# PUBLIC NOTICE

**Federal Communications Commission**  
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**Washington, D.C. 20554**

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**DA 08-2131**

**Released: September 23, 2008**

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF  
KATHLEEN GRABOWSKI'S MEMBERSHIP INTERESTS IN IBFA  
ACQUISITION COMPANY, LLC TO JAMES GRABOWSKI**

**STREAMLINED PLEADING CYCLE ESTABLISHED**

**WC Docket No. 08-188**

**Comments Due: October 7, 2008**

**Reply Comments Due: October 14, 2008**

On August 5, 2008, IBFA Acquisition Company, LLC (IBFA), Kathleen Grabowski, and James Grabowski (collectively, Applicants) filed an application pursuant to section 63.03 of the Commission's rules to transfer control of Kathleen Grabowski's membership interests in IBFA to James Grabowski.<sup>1</sup> IBFA Acquisition Company, LLC is a Michigan limited liability company that is a non-dominant carrier authorized to provide interstate interexchange service in 50 states and intrastate interexchange services in multiple states through the resale of purchased services from various facilities-based carriers. On January 1, 2008, James Grabowski obtained from Kathleen Grabowski all of her 25% membership interest in IBFA, resulting in James Grabowski (U.S. citizen) holding a 50% interest, and Casimir Wojeciechowski (U.S. citizen) retaining his 50% interest in IBFA (Grabowski Transfer). Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under 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.<sup>2</sup> As this transaction was solely a transfer of membership interests, it does not affect the transfer of any operating authority, assets, or customers.

<sup>1</sup> 47 C.F.R. § 63.03; *see* 47 U.S.C. § 214. On May 28, 2008, Applicants filed an application for the transfer of control of IBFA Acquisition Company, LLC to Telava Acquisition, Inc. (IBFA-Telava Transaction), as well as a request for Special Temporary Authority (STA) to continue providing services while the application is pending. A Public Notice was released on the IBFA-Telava Transaction on July 29, 2008. *See Domestic Section 214 Application Filed for the Transfer of Control of IBFA Acquisition Company, LLC to Telava Acquisition, Inc.*, WC Docket No. 08-81, Public Notice, 23 FCC Rcd 11369. In the STA request, the Applicants indicated that they consummated the transfer of control of Kathleen Grabowski's membership interests on January 1, 2008, without requesting authorization from the Commission. Subsequently, the Grabowski Transfer application was filed, along with an STA request to continue providing domestic telecommunications services while this application is pending. The Wireline Competition Bureau granted the STA request on July 31, 2008. *See IBFA Acquisition Company, LLC, Application for Special Temporary Authority*, WC Docket No. 08-81 (filed July 30, 2008). Applicants filed amendments to the Grabowski Transfer application on September 16, 2008 and September 22, 2008. Applicants have also filed an application for international services. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications.

<sup>2</sup> 47 C.F.R. § 63.03(b)(2)(i).

Domestic Section 214 Application Filed for the Transfer of Control of Kathleen Grabowski's Membership Interests in IBFA Acquisition Company, LLC to James Grabowski, WC Docket No. 08-188 (filed August 5, 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 October 7, 2008**, and reply comments **on or before October 14, 2008**. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31<sup>st</sup> day after the date of this notice.<sup>3</sup> Comments must be filed electronically using (1) the Commission's Electronic Comment Filing System (ECFS) or (2) the Federal Government's e-Rulemaking 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 e-Rulemaking 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](mailto: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, e-mail one copy of each pleading to each of the following:**

- 1) The Commission's duplicating contractor, Best Copy and Printing, Inc., [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com); phone: 202 / 488-5300; fax: 202 / 488-5563;
- 2) Myrva Charles, Competition Policy Division, Wireline Competition Bureau, [myrva.charles@fcc.gov](mailto:myrva.charles@fcc.gov);
- 3) Michelle Sclater, Competition Policy Division, Wireline Competition Bureau, [michelle.sclater@fcc.gov](mailto:michelle.sclater@fcc.gov);
- 4) David Krech, Policy Division, International Bureau, [david.krech@fcc.gov](mailto:david.krech@fcc.gov); and
- 5) Jim Bird, Office of General Counsel, [jim.bird@fcc.gov](mailto:jim.bird@fcc.gov).

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<sup>3</sup> Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.

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; e-mail: [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com); url: [www.bcpiweb.com](http://www.bcpiweb.com).

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For further information, please contact Myrva Charles at 202 / 418-1506 or Michelle Selater at 202 / 418-0388.

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