



PUBLIC NOTICE

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NOTICE OF REMOVAL OF DOMESTIC SECTION 214 APPLICATIONS FROM STREAMLINED TREATMENT

WC Docket No. 09-53
WC Docket No. 09-57
WC Docket No. 09-61

The Wireline Competition Bureau (Bureau) has removed the applications listed in this notice from streamlined treatment pursuant to the Commission's streamlined procedures for domestic section 214 transfer of control applications.¹ Section 63.03(c)(1)(v) of the Commission's rules provides that, at any time after an application is filed, the Commission, acting through the Chief of the Bureau, may notify an applicant that its application is being removed from streamlined processing where the Commission "determines that the application requires further analysis to determine whether a proposed transfer of control would serve the public interest."²

Domestic Section 214 Application Filed for the Transfer of Control of NexUStel, LLC to Nexitos, LLC, WC Docket No. 09-53 (filed Apr. 9, 2009).

Domestic Section 214 Application Filed for the Transfer of Control of NexUStel, LLC to Greentel, LLC, WC Docket No. 09-57 (filed Apr. 21, 2009).

Domestic Section 214 Application Filed for the Transfer of Control of Orlando Telephone Company, Inc. to Summit Broadband Inc., WC Docket No. 09-61 (filed May 1, 2009).

On May 8, 2009, the Commission released public notices accepting for streamlined processing the domestic section 214 applications to transfer control of NexUStel, LLC to Nexitos, LLC; NexUStel, LLC to Greentel, LLC; and Orlando Telephone Company, Inc. to Summit Broadband Inc.³ On May 29, 2009, the Department of Justice, including the Federal Bureau of Investigation, with the concurrence of the Department of Homeland Security (collectively, the Executive Branch Agencies), filed letters

¹ 47 U.S.C. 214; 47 C.F.R. § 63.03; *Implementation of Further Streamlining Measures for Domestic Section 214 Authorizations*, CC Docket No. 01-150, Report and Order, 17 FCC Rcd 5517 (2002).

² See 47 C.F.R. § 63.03(c)(1)(v).

³ See *Domestic Section 214 Application Filed for the Transfer of Control of NexUStel, LLC to Nexitos, LLC*, Public Notice, WC Docket No. 09-53, DA 09-1042 (rel. May 8, 2009); *Domestic Section 214 Application Filed for the Transfer of Control of NexUStel, LLC to Greentel, LLC*, Public Notice, WC Docket No. 09-57, DA 09-1043 (rel. May 8, 2009); *Domestic Section 214 Application Filed for the Transfer of Control of Orlando Telephone Company, Inc. to Summit Broadband Inc.*, WC Docket No. 09-61, Public Notice, DA 09-1041 (rel. May 8, 2009).

requesting that the Commission defer grant of these applications while the Executive Branch Agencies address potential national security, law enforcement, and public safety issues.⁴

These applications are being removed from streamlined review in response to the requests filed by the Executive Branch Agencies. Final action on these applications should be expected once the Commission has received notifications from the Executive Branch Agencies that the evaluations have been completed, but not later than 180 days from public notice that the applications were accepted for filing.⁵

For further information, please contact Heather Hendrickson, Competition Policy Division, Wireline Competition Bureau, at (202) 418-7295.

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⁴ See Letter from Kathryn Quinn, National Security Division, U.S. Department of Justice, to Marlene H. Dortch, FCC, WC Docket Nos. 09-53, 09-57, ITC-T/C-20090408-00153, ITC-T/C-20090416-00166 (filed May 29, 2009); Letter from Jennifer Rockoff, National Security Division, U.S. Department of Justice, to Marlene H. Dortch, FCC, WC Docket No. 09-61, ITC-T/C-20090504-00191 (filed May 29, 2009).

⁵ See 47 C.F.R. § 63.03(c)(2).