



# PUBLIC NOTICE

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**DA 09-917**  
**Released: April 27, 2009**

## NOTICE OF REMOVAL OF DOMESTIC SECTION 214 APPLICATION FROM STREAMLINED TREATMENT

### WC Docket No. 09-37

The application listed in this notice has been removed from streamlined treatment pursuant to the Commission's streamlined procedures for domestic section 214 transfer of control applications.<sup>1</sup> 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 Wireline Competition 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."<sup>2</sup> This application is being removed from streamlined treatment for further consideration of the transaction.<sup>3</sup> The date for interested parties to file comments remains April 29, 2009 with reply comments due on May 6, 2009.<sup>4</sup>

1. Domestic Section 214 Application Filed for the Acquisition of Certain Assets of USD CLEC, Inc. by Yak America Inc., WC Docket No. 09-37 (filed Mar. 16, 2009).

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

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<sup>1</sup> 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).

<sup>2</sup> See 47 C.F.R. § 63.03(c)(1)(v).

<sup>3</sup> Except in extraordinary circumstances, final action on this application should be expected no later than 180 days from public notice that the application was accepted for filing. See 47 C.F.R. § 63.03(c)(2).

<sup>4</sup> *Domestic Section 214 Application Filed for the Acquisition of Certain Assets of USD CLEC, Inc. by Yak America Inc.*, WC Docket No. 09-37, Public Notice, DA 09-828 (rel. Apr. 15, 2009).