



# PUBLIC NOTICE

**Federal Communications Commission**  
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**DA 10-1319**  
**Released: July 15, 2010**

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

### **WC Docket No. 10-106**

The Wireline Competition Bureau (Bureau) has removed the application listed in this notice 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 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>

Domestic Section 214 Application Filed for the Transfer of Control of American Fiber Network, Inc. from MobilePro Corporation to New Earthshell Corporation, WC Docket No. 10-106, Public Notice, DA 10-1111 (rel. Jun. 22, 2010).

On July 8, 2010, 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 requesting that the Commission defer action on these applications while they review potential national security, law enforcement, and public safety issues.<sup>3</sup>

This application is removed from streamlined review in response to the requests filed by the Executive Branch Agencies. Final action on this application should be expected after the Commission has received notification from the Executive Branch Agencies that the evaluation has been completed, but not later than 180 days from public notice that the applications were accepted for filing.<sup>4</sup>

For further information, please contact Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, at (202) 418-0809.

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<sup>1</sup> 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).

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

<sup>3</sup> See Letter from Joanne P. Ongman, U.S. Department of Justice, to Marlene H. Dortch, FCC, WC Docket No. 10-106 (filed July 8, 2010). See also SkyRocket Communications Services Inc., Comments, WC Docket No. 10-106 (filed July 2, 2010) (raising potential unauthorized transfers of control related to the pending application).

<sup>4</sup> See 47 C.F.R. § 63.03(c)(2).