



# PUBLIC NOTICE

Federal Communications Commission  
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DA 10-273

Released: February 18, 2010

## DOMESTIC SECTION 214 APPLICATION FILED FOR THE ACQUISITION OF ASSETS OF SNIIP LINK, LLC BY NETCARRIER TELECOM, INC.

### STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 10-40

**Comments Due: March 4, 2010**

**Reply Comments Due: March 11, 2010**

On February 3, 2010, NetCarrier Telecom, Inc. (NetCarrier) and SNIIP LiNK, LLC (SNIIP) (together, the Applicants) filed an application pursuant to section 63.03 of the Commission's rules<sup>1</sup> to complete a proposed transaction whereby NetCarrier will acquire substantially all of the assets of SniIP.

SNIIP, a New Jersey limited liability company, is a competitive telecommunications carrier authorized to provide facilities-based and resold local and resold intrastate long distance voice and data services in New Jersey, Pennsylvania and Delaware. SNIIP is also authorized to provide resold long distance services in 39 other states; however, none of SNIIP's long distance customers or associated assets in those states will be transferred to NetCarrier pursuant to the Asset Purchase Agreement (Agreement).

NetCarrier, a Pennsylvania corporation, providing telecommunications services to approximately 1,400 business customers in Pennsylvania, Delaware and New Jersey. The following U.S. citizens hold a ten percent or greater interest in NetCarrier: Brook Lenfest (90 percent), and Christopher Peltier (10 percent). No other person or entity owns or control a ten percent or greater, direct or indirect, interest in NetCarrier.

Pursuant to the Agreement, dated February 1, 2010, NetCarrier intends to purchase certain assets, including switching facilities and other telecommunications equipment, customers, customer contracts, deposits and associated customer account information from SNIIP. NetCarrier will acquire approximately 6,485 local subscriber lines and 2,610 pre-subscribed long distance lines in the three states combined. After consummation of the proposed transaction, NetCarrier will provide telecommunication services to the SNIIP customers directly pursuant to its own state and federal telecommunications authorizations. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under

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<sup>1</sup> 47 C.F.R § 63.03; *see* 47 U.S.C. § 214. Applicants are also filing an application for the transfer of certain assets 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.

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.<sup>2</sup>

Domestic Section 214 Application Filed for the Acquisition of Assets of SNiP Link, LLC by NetCarrier Telecom, Inc., WC Docket No. 10-40 (filed Feb. 3, 2010).

## **GENERAL INFORMATION**

The Wireline Competition Bureau finds, upon initial review, that the transfer of certain assets identified herein is acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer 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 March 4, 2010**, and reply comments **on or before March 11, 2010**. 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) Tracey Wilson-Parker, Competition Policy Division, Wireline Competition Bureau, [tracey.wilson-parker@fcc.gov](mailto:tracey.wilson-parker@fcc.gov);
- 3) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, [dennis.johnson@fcc.gov](mailto:dennis.johnson@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>2</sup> 47 C.F.R. § 63.03(b)(2)(i).

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

For further information, please contact Tracey Wilson-Parker at (202) 418-1394 or Dennis Johnson at (202) 418-0809.

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