



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

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DA 10-911
Released: May 20, 2010

DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF POSTCO, INC. TO JEFFREY S. LESLIE

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 10-102

Comments Due: June 3, 2010
Reply Comments: June 10, 2010

On May 4, 2010, the Robert M. Post Marital Trust, dated April 6, 1999 (Trust) and Jeffrey S. Leslie (Mr. Leslie), (collectively, Applicants) filed an application pursuant to section 63.03 of the Commission's rules¹ to request authorization for the transfer of control of Postco, Inc. (Postco) and its wholly-owned subsidiary ITS Telecommunications Systems, Inc. (ITS) from the Trust to Mr. Leslie.

Postco, a Florida corporation, is a holding company that is wholly owned by Robert M. Post Marital Trust, a Florida trust. ITS, also a Florida corporation and wholly-owned subsidiary of Postco, is an incumbent local exchange carrier, which provides local exchange and interexchange services to customers in and around the community of Indiantown in Martin County in southeastern Florida. ITS offers resold domestic interstate and intrastate long distance toll services to customers in its local exchange service area.

Mr. Leslie, a U.S. citizen, has been the Chief Operating Officer of ITS since 1996 and its President and Chief Executive Officer since 2007. Mr. Leslie has no ownership interests in any other domestic telecommunications carriers.

Pursuant to the terms of the proposed transaction, the Trust holds 100 percent of the issued and outstanding Postco stock. As part of its distribution of the assets of Robert M. Post, Jr. (who died in 2007), the Trust proposes to sell all of the Postco stock to Mr. Leslie. At the completion of the proposed transaction, Mr. Leslie will own 100 percent of the issued and outstanding Postco stock, and will thereby control the domestic section 214 authorization of Postco's wholly-owned subsidiary ITS. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(1)(ii) of the Commission's rules and that a grant of the application will serve the public interest, convenience, and necessity.²

¹ 47 C.F.R. § 63.03; *see* 47 U.S.C. § 214. Applicants are also filing an application for a transfer of control associated with authorization for international services. On May 18, 2010, Applicants filed a supplement to their domestic 214 application.

² 47 C.F.R. § 63.03(b)(1)(ii).

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 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 June 3, 2010**, and reply comments **on or before June 10, 2010**. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.³ 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 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; phone: (202) 488-5300; fax: (202) 488-5563;
- 2) Tracey Wilson-Parker, Competition Policy Division, Wireline Competition Bureau, tracey.wilson-parker@fcc.gov;
- 3) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, dennis.johnson@fcc.gov;
- 4) David Krech, Policy Division, International Bureau, david.krech@fcc.gov; and
- 5) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

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; url: www.bcpiweb.com.

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

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

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

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