



# PUBLIC NOTICE

Federal Communications Commission  
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DA 11-111  
Released: January 21, 2011

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF  
SATURN TELECOMMUNICATION SERVICES, INC. D/B/A STS TELECOM  
AND STS TELECOM, LLC TO DELTACOM, INC.**

**STREAMLINED PLEADING CYCLE ESTABLISHED**

**WC Docket No. 11-12**

**Comments Due: February 4, 2011**  
**Reply Comments Due: February 11, 2011**

On January 14, 2011, Saturn Telecommunication Services, Inc. d/b/a STS Telecom (Saturn), STS Telecom, LLC (STS), and DeltaCom, Inc. (DeltaCom) (collectively, Applicants) filed an application pursuant to section 63.03 of the Commission's rules<sup>1</sup> to request authority to transfer control of Saturn and STS to DeltaCom.

Saturn, a Florida corporation, provides competitive local exchange carrier (LEC) and interexchange services in Florida and Georgia, intrastate interexchange services in California, Massachusetts, New Jersey, North Carolina, Ohio, and Texas, and interstate long distance services throughout the U.S. STS, a Florida limited liability company, provides competitive LEC and interexchange services in Florida and interstate long distance services throughout the U.S. Saturn and STS are owned by four shareholders: Keith Kramer, Mark Amarant, Gil Cohen, and Andrew Silber.

DeltaCom, an Alabama corporation, is a wholly-owned subsidiary of Interstate FiberNet, Inc. (IFN), a Delaware corporation, that is a wholly-owned subsidiary of ITC^DeltaCom, Inc. (ITC), also a Delaware corporation. ITC is, in turn, a wholly-owned subsidiary of EarthLink, Inc. (EarthLink), a publicly traded Delaware corporation. DeltaCom provides competitive LEC and interexchange services primarily to business customers in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee. In combination with its affiliates, IFN and Business Telecom, Inc. (BTI), DeltaCom provides voice, data, and resold mobile services in multiple states. In addition, New Edge Network, Inc., a wholly owned subsidiary of EarthLink, provides competitive LEC and long distance services in all states except Hawaii, Idaho, and the District of Columbia.<sup>2</sup> Applicants state that no person or entity directly or indirectly owns or controls a 10 percent or greater interest in EarthLink.

<sup>1</sup> 47 C.F.R § 63.03; *see* 47 U.S.C. § 214. Applicants also filed an application for transfer of control associated with authorizations for international services. Any action on this domestic section 214 application is without prejudice to Commission action on other pending applications.

<sup>2</sup> EarthLink's regulated operating subsidiaries are DeltaCom, IFN, Business Telecom, Inc., Business Telecom of Virginia, Inc., New Edge Network, Inc. and New Edge Networks of Virginia, Inc. (collectively, the EarthLink

Pursuant to the terms of the proposed transaction, DeltaCom will purchase all of the Saturn and STS equity interests, and they will be wholly owned and directly controlled by DeltaCom and indirectly controlled by ITC and DeltaCom's ultimate parent, EarthLink. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under 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>3</sup>

Domestic Section 214 Application Filed for the Transfer of Control of Saturn Telecommunications Services, Inc. d/b/a STS Telecom and STS Telecom, LLC to DeltaCom, Inc., WC Docket No. 11-12 (filed Jan. 14, 2011).

## **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 February 4, 2011**, and reply comments **on or before February 11, 2011**. 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>4</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.

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Licenses). Through the EarthLink Licensees, EarthLink provides traditional and Internet Protocol voice and data services in all 50 states plus the District of Columbia. EarthLink has a pending section 214 application to acquire the licensees of One Communications Corp. that provide telecommunications services in the Northeast, Mid-Atlantic, and Upper Midwest regions of the U.S. *Domestic Section 214 Application Filed for the Transfer of Control of One Communications Corp. to EarthLink, Inc.*, WC Docket No. 11-1, Public Notice, DA 11-23 (rel. Jan. 6, 2011).

<sup>3</sup> 47 C.F.R. § 63.03(b)(2)(i).

<sup>4</sup> Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.

**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, Competition Policy Division, Wireline Competition Bureau, [tracey.wilson@fcc.gov](mailto:tracey.wilson@fcc.gov);
- 3) Jodie May, Competition Policy Division, Wireline Competition Bureau, [jodie.may@fcc.gov](mailto:jodie.may@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).

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](mailto:fcc@bcpiweb.com); url: [www.bcpiweb.com](http://www.bcpiweb.com).

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](mailto: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 at (202) 418-1394 or Jodie May at (202) 418-0913.

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