



PUBLIC NOTICE

Federal Communications Commission
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DA 12-221

Released: February 15, 2012

DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF KEYWEST COMMUNICATIONS (USA) INC. TO SIFA TECHNOLOGY LIMITED

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 12-7

Comments Due: February 29, 2012

Reply Comments Due: March 7, 2012

Keywest Communications (USA) Inc. (KCUSA), Key West Global Telecommunications Berhad (Keywest) and Sifa Technology Limited (SIFA) (collectively, the Applicants) filed an application pursuant to section 63.03 of the Commission's rules¹ to transfer control of KCUSA from Keywest to SIFA.

Keywest, a Malaysia holding company, wholly-owns the following entities: Keywest Communications Inc. (KCI), a British Virgin Island corporation; Voicestar Communications Sdn Bhd, a Malaysian corporation; and KeyWest Networks (Canada) Inc. (KNI), a Canadian corporation. KCI is the holding company of the following entities: KCUSA (100%), a Nevada corporation; KeyWest Data Network Inc. (40%), a Philippines corporation; and Keywest Communications (HK) Limited (99%), a Hong Kong entity. KCUSA provides interstate and intrastate interexchange telecommunications services. Applicants state that none of Keywest's other subsidiaries provide domestic telecommunications services.

SIFA, a British Virgin Islands corporation, does not currently provide telecommunications services. SIFA is wholly-owned by Xiao Ping Yang, a Canadian citizen. Applicants state that Yang does not own a 10 percent or greater interest in any other telecommunications companies.

On May 26, 2011, Keywest and its stockholders entered into a Sale and Purchase Agreement (Agreement) with SIFA. The Agreement provides that SIFA will purchase all of the issued and outstanding Sale Shares² of Keywest from the Shareholders (the Acquisition) resulting in SIFA owning certain subsidiaries of Keywest, in addition to undertaking a repayment of the intercompany loans from Keywest to both KNI and KCI. Applicants state the Acquisition will therefore result in the change of ownership of KCUSA from Keywest to SIFA, including control of KCUSA's section 214 authorities.

¹ 47 C.F.R § 63.03; *see* 47 U.S.C. § 214. Applicants are also filing applications for transfer of control 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. Applicants filed supplements to their domestic application on January 24, February 9 and 15, 2012.

² Sale Shares means the KCI Shares and the KNI Shares to be purchased under the sale and purchase agreement.

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.³

Domestic Section 214 Application Filed for the Transfer of Control of Keywest Communications (USA) Inc. to Sifa Technology Limited, WC Docket No. 12-7 (filed Jan. 11, 2012).

GENERAL INFORMATION

The transfer of control identified herein has been found, upon initial review, to be 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 CFR § 63.03(a), interested parties may file comments **on or before February 29, 2012**, and reply comments **on or before March 7, 2012**. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.⁴ Comments should be filed using the Commission's Electronic Comment Filing System (ECFS). See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.

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, Competition Policy Division, Wireline Competition Bureau, tracey.wilson@fcc.gov;
- 3) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, dennis.johnson@fcc.gov;
- 4) Jodie May, Competition Policy Division, Wireline Competition Bureau, jodie.may@fcc.gov;
- 5) David Krech, Policy Division, International Bureau, david.krech@fcc.gov; and
- 6) 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 47 C.F.R. § 63.03(b)(2)(i).

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

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

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