



PUBLIC NOTICE

**Federal Communications Commission
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DA 12-269

Released: February 23, 2012

DOMESTIC SECTION 214 APPLICATION FILED FOR THE ACQUISITION OF ASSETS OF CREATIVE INTERCONNECT COMMUNICATIONS, LLC BY UTILITY TELEPHONE, INC.

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 12-44

Comments Due: March 8, 2012

Reply Comments Due: March 15, 2012

On February 8, 2012, Creative Interconnect Communications, LLC (Creative Interconnect) and Utility Telephone, Inc. (Utility Telephone) (collectively, Applicants) filed an application pursuant to section 63.03 of the Commission's rules¹ to transfer Creative Interconnect's telecommunications assets, including its customer base, to Utility Telephone.²

Creative Interconnect, a California limited liability company, provides local exchange, exchange access, dedicated private line, and domestic interexchange telecommunications services to commercial customers in California. Creative Interconnect also provides interconnected VoIP, voice mail, and conferencing services.

Utility Telephone, a California corporation, provides facilities-based local exchange, exchange access, and domestic interexchange telephone services in California and Nevada. Utility Telephone holds an eighty percent interest in Call America, Inc. (Call America). Call America provides local exchange and domestic interexchange telephone service to small and medium size business customers. The following U.S. individual and entity directly hold ten percent or greater ownership or control interests in Utility Telephone, Inc.: Jason Mills (54 percent) and the John K. and Dianne B. La Rue Revocable Trust (46 percent). The following individuals are the trustees of, and hold 100% of the beneficial interests in, the John K. and Dianne B. La Rue Revocable Trust: John K. La Rue and Dianne B. LaRue. No other individual or entity holds an interest in Utility Telephone.

Creative Interconnect's owners wish to redeploy their capital into other ventures or investments and, therefore, have entered into an agreement to sell Creative Interconnect's telecommunications assets, including its customer base, to Utility Telephone. Utility Telephone views the opportunity to acquire

¹ 47 C.F.R. § 63.03; *see* 47 U.S.C. § 214.

² 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.

Creative Interconnect's assets as a good fit with its existing operations. Applicants state that following consummation of the proposed transaction, Utility Telephone will provide service to the transferred customers under the same rates, terms, and conditions they received from Creative Interconnect. 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 Acquisition of Assets of Creative Interconnect Communications, LLC by Utility Telephone, Inc., WC Docket No. 12-44 (filed Feb. 8, 2011).

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 March 8, 2012**, and reply comments **on or before March 15, 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) 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 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.

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 at (202) 418-1394 or Dennis Johnson at (202) 418-0809.

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