



PUBLIC NOTICE

Federal Communications Commission
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DA 12-72
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NOTICE OF NON-STREAMLINED DOMESTIC SECTION 214 APPLICATION GRANTED

WC Docket No. 11-198

Pursuant to section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and sections 0.91, 0.291, and 63.04 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 63.04, the Wireline Competition Bureau (Bureau) approves the application of HyperCube Telecom, LLC, HyperCube, LLC and Rubik Acquisition Company, LLC.¹ No commenters opposed grant of the application.

The Bureau finds, upon consideration of the record, that the proposed transfer will serve the public interest, convenience, and necessity and, therefore, grants the requested authorization.² Pursuant to section 1.103 of the Commission's rules, 47 C.F.R. § 1.103, the consent granted herein is effective upon the release of the Public Notice. Petitions for reconsideration under section 1.106 or applications for review under section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of this Public Notice.

Domestic Section 214 Application Filed for the Transfer of Control of HyperCube Telecom, LLC From HyperCube, LLC to Rubik Acquisition Company, LLC, WC Docket No. 11-198, Public Notice, DA 11-2037 (rel. Dec. 20, 2011).

For further information, please contact Tracey Wilson at (202) 418-1394 or Christopher Sova at (202) 418-1868, Competition Policy Division, Wireline Competition Bureau.

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¹ See *Domestic Section 214 Application Filed for the Transfer of Control of HyperCube Telecom, LLC From HyperCube, LLC to Rubik Acquisition Company, LLC*, WC Docket No. 11-198, Public Notice, DA 11-2037 (rel. Dec. 20, 2011).

² See *Joint Applications of Telephone and Data Systems, Inc. and Chorus Communications, Ltd. for Authority to Transfer Control of Commission Licenses and Authorizations Pursuant to Sections 214 and 310(d) of the Communications Act and Parts 22, 63 and 90 of the Commission's Rules*, CC Docket No. 01-73, Memorandum Opinion and Order, 16 FCC Rcd 15293, 15297-99, paras. 8-10 (CCB/WTB 2001) (granting a transfer of control involving an incumbent local exchange carrier (LEC) and the transferee, Telephone and Data Systems, Inc. (TDS), where an affiliate of TDS provides service in the area served by the incumbent LEC, and the merger would not harm competition).