



PUBLIC NOTICE

Federal Communications Commission
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DOMESTIC SECTION 214 APPLICATION FILED FOR THE ACQUISITION OF ASSETS OF IXC HOLDINGS, INC. BY TELEKENEX ACQUISITION CORPORATION

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 13-264

Comments Due: November 27, 2013
Reply Comments Due: December 4, 2013

On October 2, 2013, IXC Holdings, Inc. (IXCH) and Telekenex Acquisition Corporation (Telekenex Acquisition) (together, Applicants) filed an application pursuant to section 63.03 of the Commission's rules¹ to transfer assets of IXCH to Telekenex Acquisition.

IXCH, a Delaware corporation, provides competitive local exchange and interexchange services to commercial customers in California and Nevada. Telekenex Acquisition, a Delaware corporation, is a new entity formed for the purpose of the transaction and does not provide telecommunications services. Applicants state that, after completion of the proposed transaction, Telekenex Holdings LLC, a Delaware limited liability company, will control 82 percent of the equity of Telekenex Acquisition. Telekenex Holdings LLC will be wholly owned by Spire Capital Partners III, LLC, a Delaware limited liability company. The current management investors of IXCH will own 16 percent of Telekenex Acquisition in the aggregate with no single investor holding more than 10 percent of the equity interest. Applicants further state that the managing members of Spire Capital Partners III, LLC are Andrew J. Armstrong, Jr., Bruce M. Hernandez, Sean C. White, and David K. Schaible, all U.S. citizens. Applicants state that Spire Capital Partners III, LLC does not own or control any other telecommunications entities.

Pursuant to the terms of the proposed transaction, Telekenex Acquisition will acquire the telecommunications customer base and assets of IXCH. 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

Domestic Section 214 Application Filed for the Acquisition of Assets of IXC Holdings, Inc. by Telekenex Acquisition Corporation, WC Docket No. 13-264 (filed Oct. 2, 2013).

¹ 47 C.F.R. § 63.03; *see* 47 U.S.C. § 214. Applicants are also filing 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 related, pending applications. Applicants filed a supplement to their domestic section 214 application on November 11, 2013.

² 47 C.F.R. § 63.03(b)(1)(ii).

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 November 27, 2013**, and reply comments **on or before December 4, 2013**. Pursuant to section 63.52 of the Commission's rules, 47 C.F.R. § 63.52, commenters must serve a copy of comments on the Applicants no later than the above comment filing date. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.

Pursuant to section 63.03 of the Commission's rules, 47 CFR § 63.03, parties to this proceeding should file any documents in this proceeding using the Commission's Electronic Comment Filing System (ECFS): <http://fjallfoss.fcc.gov/ecfs2/>.

In addition, e-mail one copy of each pleading to each of the following:

- 1) Tracey Wilson, Competition Policy Division, Wireline Competition Bureau, tracey.wilson@fcc.gov;
- 2) Jodie May, Competition Policy Division, Wireline Competition Bureau, jodie.may@fcc.gov;
- 3) David Krech, Policy Division, International Bureau, david.krech@fcc.gov; and
- 4) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

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).

The proceeding in this Notice shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's ex parte rules. Persons making ex parte presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral ex parte presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the ex parte presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during ex parte meetings are deemed to be written ex parte presentations and must be filed consistent with rule 1.1206(b), 47 C.F.R. § 1.1206(b). Participants in this proceeding should familiarize themselves with the Commission's ex parte rules.

For further information, please contact Tracey Wilson at (202) 418-1394 or Jodie May at (202) 418-0913.