



PUBLIC NOTICE

Federal Communications Commission
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DA 13-774
Released: April 17, 2013

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE
ACQUISITION OF ASSETS OF DIGIZIP.COM, INC.
BY WHOLESALE CARRIER SERVICES, INC.**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 13-95

Comments Due: May 1, 2013
Reply Comments Due: May 8, 2013

On April 2, 2013, Digizip.com, Inc. (Digizip) and Wholesale Carrier Services, Inc. (WCS) (together, the Applicants) filed an application pursuant to section 63.03 of the Commission's rules¹ to transfer control of Digizip's assets to WCS.

Digizip, an Arizona corporation, is non-dominant carrier that resells domestic long distance services from various facilities based carriers. Digizip is authorized by the Commission to offer domestic interstate services in 30 states and the District of Columbia. The following U.S. citizens hold a ten percent or greater ownership interest in Digizip: Greg Schneider (50 percent) and Russell Wilmarth (50 percent).

WCS, a Florida corporation, is a non-dominant carrier that resells domestic long distance services from various facilities based carriers. WCS is authorized by the Commission to offer domestic interstate services in 48 states and the District of Columbia. Christopher S. Barton, a U.S. citizen, wholly owns WCS.

Pursuant to the terms of the proposed transaction, WCS will acquire substantially all of the assets of Digizip and, upon consummation of the proposed transaction, Digizip will relinquish its domestic section 214 authority. 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.²

Domestic Section 214 Application Filed for the Acquisition of Assets of

¹ 47 C.F.R. § 63.03; *see* 47 U.S.C. § 214. Applicants filed a supplement to their application on April 11, 2013.

² 47 C.F.R. § 63.03(b)(2)(i).

GENERAL INFORMATION

The transfer of assets 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 May 1, 2013**, and reply comments **on or before May 8, 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.³

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) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, dennis.johnson@fcc.gov;
- 3) 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.⁴ 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

³ Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.

⁴ 47 C.F.R. §§ 1.1200 *et seq.*

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 Dennis Johnson at (202) 418-0809.

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