



PUBLIC NOTICE

Federal Communications Commission
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DA 14-1033
July 22, 2014

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF
BALTIMORE-WASHINGTON TELEPHONE COMPANY TO NDS TECHNOLOGIES LLC**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 14-110

Comments Due: August 5, 2014
Reply Comments Due: August 12, 2014

Kenneth L. Menken (Menken) and NDS Technologies LLC (NDS) (together, Applicants) filed an application pursuant to section 63.03 of the Commission's rules to transfer control of Baltimore-Washington Telephone Company (BWT) to NDS.¹

BWT, a Maryland corporation, offers local and long distance telecommunications services in Maryland, Nevada, New York, and Montana. Menken is the majority shareholder of BWT. NDS, a California limited liability company, offers local and long distance telecommunications services in Texas and Montana. NDS Technologies' affiliates Shoutpoint, Inc. and Voicein.com Corporation offer interconnected Voice over IP services throughout the United States. NDS is owned by the following U.S. citizens: James Christiano (60 percent) and Patrick Ettl (40 percent).

Pursuant to the terms of the proposed transaction, BWT will become a wholly owned subsidiary of NDS. In particular, NDS will acquire one hundred percent of the shares of the stock of BWT. 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 Transfer of Control of Domestic Authorizations of Baltimore-Washington Telephone Company to NDS Technologies LLC,
WC Docket No. 14-110 (filed June 16, 2014).

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

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

² 47 C.F.R. § 63.03(b)(2)(i).

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 August 5, 2014**, and reply comments **on or before August 12, 2014**. 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) Myrva Charles, Competition Policy Division, Wireline Competition Bureau, myrva.charles@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. 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 Myrva Charles at (202) 418-1506 or Dennis Johnson at (202) 418-0809.