



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

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DA 16-177
February 18, 2016

DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF SIPSTATION, INC. AND ROCKBOCHS INC. TO SANGOMA U.S., INC.

NON-STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 16-11

Comments Due: March 3, 2016
Reply Comments Due: March 10, 2016

Sangoma U.S., Inc. (Sangoma U.S.), SIPStation, Inc. (SIPStation) and Rockbochs Inc. (Rockbochs) (together, Applicants) filed an application, pursuant to Section 214 of the Communications Act of 1934, as amended, and Section 63.03 of the Commission's rules, requesting consent for the unauthorized transfer of control of SIPStation and Rockbochs to Sangoma U.S.¹

Prior to being acquired by Sangoma U.S., both SIPStation, a Wisconsin corporation, and Rockbochs, a Minnesota corporation, offered domestic resold telecommunications services and were 100 percent U.S. owned companies. Sangoma U.S. is a Delaware based corporation whose ultimate parent entity is Sangoma Technologies Corp. (STC.V), a Canadian publicly listed Company. With the exception of Sangoma U.S.'s current telecommunications service offerings (i.e., those telecommunications services formerly provided by SIPStation and Rockbochs, which STC.V provides solely by virtue of its status as the ultimate parent owner of Sangoma U.S.), STC.V does not provide any telecommunication services, or is affiliated with any other telecommunications providers. Mr. David Madelstam, a Canadian citizen, owns an estimated 16.3 percent equity interest in STC.V. Applicants state that there are no other ten percent or greater interest holders of STC.V.

¹ 47 C.F.R § 63.03; *see* 47 U.S.C. § 214. Applicants are also filing applications for the transfer of control of international services. Any action on this domestic Section 214 application is also without prejudice to Commission action on other related, pending applications. On January 19, 2016 Applicants filed a supplement to their application in this docket providing additional information. *See* Letter from Kristin K. Berkland, Counsel to Sangoma U.S., to Marlene H. Dortch, Secretary, FCC, WC Docket No. 16-11 (filed Jan. 19, 2015). On January 1, 2015, Sangoma U.S. acquired SIPStation and Rockbochs without seeking prior Commission approval of the transfer of control. Applicants explain that they were unaware of this obligation and that, prior to their acquisition by Sangoma U.S., both SIPStation and Rockbochs were 100 percent U.S. owned companies and had not previously experienced a substantial transfer of control. On February 18, 2016, the Wireline Competition Bureau granted Applicants' request for special temporary authority (STA) to authorize Sangoma U.S. to continue providing service while the Bureau reviews the domestic 214 application, effective for 60 days. *See* Letter from Kristin K. Berkland, Counsel to Sangoma U.S., to Marlene H. Dortch, Secretary, FCC, WC Docket No. 16-11 (filed Jan. 22, 2015).

Applicants assert that the grant of the application will serve the public interest and that they will continue to provide service to its subscribers in a manner that is transparent from the service they received prior to the transaction. Applicants state that they do not seek streamlined treatment for this transaction under the Commission's rules.²

Domestic Section 214 Application Filed for the Transfer of Control of SIPStation, Inc. and Rockbochs Inc. to Sangoma U.S., Inc., WC Docket No. 16-11 (filed Dec. 23, 2015).

GENERAL INFORMATION

The transfer of control identified herein has been found, upon initial review, to be acceptable for filing as a non-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 3, 2016**, and reply comments **on or before March 10, 2016**. 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.

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://apps.fcc.gov/ecfs/>.

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) Gregory D. Kwan, Competition Policy Division, Wireline Competition Bureau, gregory.kwan@fcc.gov;
- 3) David Krech, Policy Division, International Bureau, david.krech@fcc.gov;
- 4) Sumita Mukhoty, Policy Division, International Bureau, sumita.mukhoty@fcc.gov;
- 5) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

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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

² 47 C.F.R. § 63.03.

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 Gregory Kwan at (202) 418-1191.

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