



PUBLIC NOTICE

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DA 16-589
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DOMESTIC SECTION 214 APPLICATION GRANTED FOR THE TRANSFER OF CONTROL OF SELECTEL, INC. TO COMPASS ATLANTIC INC.

WC Docket No. 15-8

On December 12, 2014, Selectel, Inc. (Selectel), Matthew S. O’Flaherty, Teri L. O’Flaherty, Stacy Hergenrader and Compass Capital Inc. and Compass Atlantic Inc. (collectively, Applicants) filed an application pursuant to section 63.03 of the Commission’s rules to transfer control of Selectel from Matthew S. O’Flaherty, Teri L. O’Flaherty, and Stacy Hergenrader to Compass Capital Inc. and Compass Atlantic Inc.¹

On January 28, 2015, the Wireline Competition Bureau (Bureau) released a Public Notice requesting comment on the Application.² On February 11, 2015, the Department of Justice, including the Federal Bureau of Investigation, with the concurrence of the U.S. Department of Homeland Security and the Department of Defense (collectively, the Executive Branch Agencies), filed a letter requesting that the Commission defer action on this proceeding while they completed their review of any national security, law enforcement, and public safety issues.³ We deferred action on the Application in response to the Executive Branch Agencies’ request.⁴ On May 25, 2016, the Executive Branch Agencies notified the Bureau that they withdraw their request to defer action.⁵ The Executive Branch Agencies state that, based on the information provided to them by the Applicants and their analysis of potential national security, law enforcement, and public safety issues, they have no objection to the Application.

¹ 47 C.F.R § 63.03; see 47 U.S.C. § 214; *Selectel, Inc. Application for Authorization Pursuant to Section 214 of the Communications Act of 1934, as Amended, for Assignment of Assets and/or Transfer of Control*, WC Docket No. 15-8 (filed Dec. 12, 2014) (Application). Applicants consummated the transaction on June 19, 2015. A grant of the application will be without prejudice to any enforcement action by the Commission for non-compliance with the Act or the Commission's rules.

² *Domestic Section 214 Application Filed for the Transfer of Control of Selectel, Inc. to Compass Atlantic Inc.*, WC Docket No. 15-8, Public Notice, 30 FCC Rcd 598 (WCB 2015).

³ See Letter from Bermel R. Paz, U.S. Department of Justice, to Marlene H. Dortch, FCC, WC Docket No. 15-8 (filed Feb. 11, 2015).

⁴ *Notice of Removal of Domestic Section 214 Application from Streamlined Treatment*, WC Docket No. 15-8, Public Notice, 30 FCC Rcd 1815 (WCB 2015).

⁵ Letter from Bermel R. Paz, U.S. Department of Justice, to Marlene H. Dortch, FCC, WC Docket No. 15-8 (filed May 25, 2016).

The Bureau finds, upon consideration of the record, that grant of the Application will serve the public interest, convenience, and necessity.⁶

Pursuant to section 1.103 of the Commission's rules, 47 C.F.R. § 1.103, the grant is effective upon release of this 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.

For further information, please contact Dennis Johnson, Wireline Competition Bureau, Competition Policy Division, (202) 418-0809.

⁶ See 47 C.F.R. § 63.03(b).