



PUBLIC NOTICE

Federal Communications Commission
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DA 16-655
June 14, 2016

DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF CALL CATCHERS INC. D/B/A FREEDOMVOICE TO GODADDY OPERATING CO., LLC

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 16-171

Comments Due: June 28, 2016

Reply Comments Due: July 5, 2016

Catchers Inc. d/b/a FreedomVoice (FreedomVoice) and GoDaddy Operating Company, LLC (GoDaddy Operating) (collectively, 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 to transfer control of FreedomVoice to GoDaddy Operating.¹

FreedomVoice, a Delaware corporation, provides telecommunications services and cloud-based communications systems for small to mid-sized businesses in all fifty states, the District of Columbia, and Puerto Rico. FreedomVoice is a wholly-owned subsidiary of Media Temple Inc., a Delaware holding company, which in turn is a wholly-owned subsidiary of GoDaddy Operating. GoDaddy Operating, a Delaware limited liability company, through its affiliates, is an Internet domain registrar and web hosting company. Applicants further state that GoDaddy Operating is directly and wholly owned by Desert Newco, LLC (Desert Newco).² Applicants state that neither GoDaddy Operating, Desert Newco, nor any of its affiliates, currently provide telecommunications services in the United States.

¹ 47 C.F.R § 63.03; 47 U.S.C. § 214. See *Domestic Section 214 Application Filed for the Transfer of Control of Call Catchers Inc. d/b/a FreedomVoice to GoDaddy Operating Co., LLC*, WC Docket No. 16-171 (filed May 19, 2016) (Application). Applicants also filed applications for the transfer of authorizations associated with international services. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications.

² The following entities and individuals hold a ten percent or greater direct ownership interest in GoDaddy Operating through ownership interest in Desert Newco: GoDaddy Inc. (50% interest in Desert Newco); Yam Special Holdings, Inc. (20% interest in Desert Newco); Robert R. Parsons (100% interest of Yam Special Holdings, Inc.); Kohlberg Kravis Roberts & Co. L.P (together indirectly holding an approximate 10% interest in Desert Newco); and Silver Lake Partners (approximately 11% of Desert Newco). Applicants state that all relevant entities are organized under the laws of the United States with the exception of three of Kohlberg Kravis Roberts entities: KKR Fund Holdings L.P., KKR Group Holdings L.P., and KKR Group Limited, each which are organized under the laws of the Cayman Islands. Applicants further state that all relevant individuals are U.S. citizens with the exception of two members of Silver Lake Partners: Egon Durban, a citizen of Germany, and Christian Lucas, a citizen of France. See Application at 2-4 for a full description of the ownership structure of the proposed transaction.

GoDaddy Operating, its direct wholly-owned subsidiary San Fernando Merger Sub Inc. (Merger Sub), FreedomVoice, and certain FreedomVoice shareholders entered into an Agreement and Plan of Merger dated as of May 17, 2016 (the “Agreement”). Pursuant to the Agreement, Merger Sub will be merged with and into FreedomVoice, with FreedomVoice being the surviving entity. FreedomVoice will thus become a direct, wholly-owned subsidiary of Media Temple Inc., and thus an indirect subsidiary of GoDaddy Operating. The Applicants assert the transaction also will not impact FreedomVoice’s customers, and will be virtually transparent to customers in terms of the service they now receive. Applicants assert that this proposed transaction qualifies for presumed streamlined treatment pursuant to 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.³

Domestic Section 214 Application Filed for the Transfer of Control of Call Catchers Inc. d/b/a FreedomVoice to GoDaddy Operating Co., LLC, WC Docket No. 16-171 (filed May 19, 2016).

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 June 28, 2016**, and reply comments **on or before July 5, 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. 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://apps.fcc.gov/ecfs/>.

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

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

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³ 47 C.F.R. § 63.03(b)(1)(ii).

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 Freeman at (202) 418-1506 or Gregory Kwan at (202) 418-1191.

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