



PUBLIC NOTICE

Federal Communications Commission
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DA 16-718
June 23, 2016

DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF 89DEGREE NETWORKS, LLC

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 16-193

Comments Due: July 7, 2016

Reply Comments Due: July 14, 2016

89Degree Networks, LLC (89Degree Networks) (Applicant) 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 89Degree Networks.¹

89Degree Networks, a Virginia limited liability company, provides a T1 circuit in Tulsa Oklahoma. On December 31, 2015, Robert Crinks, who previously held a 4 percent interest in 89Degree Networks, acquired a 51 percent interest in the company from his spouse, Elaina Mangione, to bring his total ownership interest to 55 percent.² Ms. Mangione no longer has a management role in the company. Mr. Crinks, the President of 89Degree Networks, will continue to run the business in addition to holding a majority of the outstanding shares of the company. Applicants assert that this proposed transaction qualifies for presumed streamlined treatment pursuant to 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.³

Domestic Section 214 Application Filed for the Transfer of Control of 89Degree Networks, LLC, WC Docket No. 16-193 (filed June 13, 2016).

GENERAL INFORMATION

¹ 47 C.F.R. § 63.03; 47 U.S.C. § 214. On June 21, 2016, the Wireline Competition Bureau granted the Applicants' request for special temporary authority to authorize 89Degree Networks to continue providing service for 60 days. 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 and does not preclude or prejudice any enforcement action related to an unauthorized transfer of control.

² Mohamed Elagazy, a U.S. citizen, holds a 45% interest in 89Degree Networks through Valley Technologies Trust, a Wyoming entity.

³ 47 C.F.R. § 63.03(b)(2)(i).

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 July 7, 2016**, and reply comments **on or before July 14, 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) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, dennis.johnson@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.

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), 1-888-835-5322 (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 Freeman at (202) 418-1506 or Dennis Johnson at (202) 418-0809.

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