



PUBLIC NOTICE

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

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
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DA 17-1225
December 19, 2017

DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF GREAT WIRELESS, LLC AND U.S. CONNECT, LLC

NON-STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 17-309

Comments Due: January 2, 2018
Reply Comments Due: January 9, 2018

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on an application filed by U.S. Connect, LLC (US Connect), Great Wireless, LLC (Great Wireless), Suleman Bhimani, Patricia Gabrysiak, and Porter USA Enterprises, Inc. (Porter USA) (collectively, Applicants), pursuant to section 214 of the Communications Act of 1934, as amended, and sections 63.03-04 of the Commission's rules, requesting consent to ultimately transfer control of Great Wireless and US Connect to Porter USA.¹ Applicants state that on March 22, 2016, control of Great Wireless was transferred without prior Commission approval from Suleman Bhimani to Patricia Gabrysiak.²

US Connect, a Georgia limited liability company, operates as an Eligible Telecommunications Carrier (ETC) in the states of Arkansas, Maryland and West Virginia. US Connect is a subsidiary of Great Wireless, a Texas limited liability company. The following U.S. citizen and entity currently hold a 10 percent or greater interest in Great Wireless: Patricia Gabrysiak (51 percent interest) and Porter USA (49 percent interest). Porter USA, a Texas corporation, is wholly owned by Ubaid Uddin, a U.S. citizen. Ubaid Uddin does not own a 10 percent or greater interest in any other telecommunications provider.

Pursuant to the terms of the proposed transaction, upon consummation, Porter USA will ultimately acquire all of the membership interests in US Connect's corporate parent, Great Wireless,

¹ See 47 U.S.C. § 214; 47 CFR §§ 63.03-04. Applicants filed supplements to their application on November 28, 2017. On December 18, 2017, the Wireline Competition Bureau granted the Applicants' request for Special Temporary Authority to allow US Connect LLC to operate while the proposed domestic section 214 transfer of control application is being reviewed. Any action on this application is without prejudice to any potential enforcement action related to a prior unauthorized transfer of control.

² Suleman Bhimani is a citizen of Canada.

LLC. Applicants do not request streamlined processing and assert 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 U.S. Connect, LLC and Great Wireless, LLC to Porter USA Enterprises, Inc., WC Docket No. 17-309 (filed Nov. 13, 2017).

GENERAL INFORMATION

The application identified herein has been found, upon initial review, to be acceptable for filing. The Commission reserves the right to return any application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies.

Interested parties may file comments and petitions **on or before January 2, 2018**, and reply comments or oppositions to petitions **on or before January 9, 2018**. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by paper. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- **Electronic Filers:** Comments may be filed electronically by accessing ECFS at <http://apps.fcc.gov/ecfs/>.
- **Paper Filers:** Parties who choose to file by paper must file an original and one copy of each filing. Paper filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail.
 - All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. All envelopes and boxes must be disposed of before entering the building.
 - Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
 - U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554.

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 and Governmental Affairs Bureau at 202-418-0530 (voice), 1-888-835-5322 (tty).

In addition, please provide one copy of each pleading to each of the following:

- 1) Jim Bird, Office of General Counsel, transactionteam@fcc.gov;
- 2) Dennis Johnson, Wireline Competition Bureau, dennis.johnson@fcc.gov;

³ 47 CFR § 63.03(b).

- 3) David Krech, International Bureau, david.krech@fcc.gov;
- 4) Sumita Mukhoty, International Bureau, sumita.mukhoty@fcc.gov.

The proceeding in this Notice shall be treated as a permit-but-disclose proceeding in accordance with the Commission's *ex parte* rules.⁴ 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 data or arguments already reflected in the presenter's written comments, memoranda, or other filings in the proceeding, then 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 CFR § 1.1206(b). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

To allow the Commission to consider fully all substantive issues regarding the Applications in as timely and efficient a manner as possible, petitioners and commenters should raise all issues in their initial filings. New issues may not be raised in responses or replies.⁵ A party or interested person seeking to raise a new issue after the pleading cycle has closed must show good cause why it was not possible for it to have raised the issue previously. Submissions after the pleading cycle has closed that seek to raise new issues based on new facts or newly discovered facts should be filed within 15 days after such facts are discovered. Absent such a showing of good cause, any issues not timely raised may be disregarded by the Commission.

For further information, please contact Tracey Wilson at (202) 418-1394 or Dennis Johnson at (202) 418-0809.

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⁴ 47 CFR § 1.1200 *et seq.*

⁵ *See* 47 CFR § 1.45(c).