



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

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DA 17-391
April 25, 2017

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF
LICENSEES OF ROCKEFELLER GROUP INTERNATIONAL, INC.
TO CONVERGEONE, INC.**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 17-100

Comments Due: May 9, 2017

Reply Comments Due: May 16, 2017

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on the application filed by ConvergeOne, Inc. (ConvergeOne) and Rockefeller Group International, Inc. (RGII) (together, Applicants), pursuant to Section 214 of the Communications Act of 1934, as amended, and Section 63.03 of the Commission's rules, requesting approval to transfer control of RGT Utilities, Inc., RGT Utilities of California, Inc., Rockefeller Group Communications, Inc., and RGT Utilities of Connecticut, Inc. (collectively, Licensees) from RGII to ConvergeOne.¹

RGII, a New York corporation, wholly owns Rockefeller Group Technology Solutions, Inc. (RGTS), a Delaware corporation. RGTS, in turn, wholly owns Licensees, which are Delaware corporations that resell interstate and intrastate telecommunications services in New York, California, New Jersey, and Connecticut. Applicants state that ConvergeOne, a Minnesota corporation, does not provide domestic telecommunications services and is not affiliated with any company that provides domestic telecommunications services. Applicants further state that ConvergeOne is included in the investment portfolio of Clearlake Capital Group, L.P., a U.S.-based private equity entity, and is ultimately owned by Jose E. Feliciano and Kwanza Jones, U.S. citizens, through a revocable trust, and Behdad Eghbali, a U.S. citizen.²

¹ See 47 U.S.C. § 214; 47 CFR § 63.03. Applicants state that they are also filing 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 Applicants provided as Exhibit A in their application a post-transaction organizational chart listing the Clearlake Capital Group, L.P. entities having a 10 percent or greater direct or indirect interest in ConvergeOne. *Joint Application of ConvergeOne, Inc. and Rockefeller Group International, Inc. for Authority Pursuant to Section 214 of the Communications Act of 1934, as Amended, and Sections 63.04 and 63.24 of the Commission's Rules to Transfer Control of Domestic and International Service Authorizations*, WC Docket No. 17-100 (filed Apr. 14, 2017).

Pursuant to the terms of the proposed transaction, ConvergeOne will acquire all of the shares of RGTS from RGII. As a result, Licensees will become indirect, wholly owned subsidiaries of ConvergeOne. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under 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 Licensees of Rockefeller Group International, Inc. To ConvergeOne, Inc., WC Docket No. 17-100 (filed Apr. 14, 2017).

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 May 9, 2017**, and reply comments **on or before May 16, 2017**. Pursuant to Section 63.52 of the Commission's rules, 47 CFR § 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 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) Jodie May, Competition Policy Division, Wireline Competition Bureau, jodie.may@fcc.gov;
- 3) Jim Bird, Office of General Counsel, jim.bird@fcc.gov;
- 4) David Krech, International Bureau, david.krech@fcc.gov; and
- 5) Sumita Mukhoty, International Bureau, sumita.mukhoty@fcc.gov.

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³ 47 CFR § 63.03(b)(2)(i).

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 CFR § 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 Jodie May at (202) 418-0913.

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