



PUBLIC NOTICE

Federal Communications Commission
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DA 17-607
June 21, 2017

DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF T3 COMMUNICATIONS, INC. TO SHIFT8 TECHNOLOGIES, INC.

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 17-160

Comments Due: July 5, 2017
Reply Comments Due: July 12, 2017

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on an application filed by T3 Communications, Inc. (T3 Com) and Shift8 Technologies, Inc. (Shift8) (collectively Applicants), pursuant to Section 214 of the Communications Act of 1934, as amended, and Section 63.03 of the Commission's rules, requesting approval for the transfer of control of T3 Com to Shift8.¹

T3 Com, a Florida corporation, provides competitive telecommunications services primarily in Florida, but also serves Georgia, Iowa, Illinois, Michigan, and Minnesota.

Shift8, a Nevada corporation, provides Voice over Internet Protocol and other services to small and medium sized businesses in Texas. Shift8 is wholly owned by Digerati Technologies, Inc. (Digerati), a publicly traded Nevada corporation. Applicants state that Flagship Oil and Gas Corp. (Flagship), a Texas corporation and holding company, holds 34.43 percent of Digerati. Flagship, in turn, is wholly owned by Craig K. Clement, a U.S. citizen. Applicants state that neither Digerati nor Flagship provide telecommunications services. They further state that no other entity or person holds a 10 percent or greater direct or indirect interest in Shift8, and that neither Digerati, Flagship, nor Mr. Clement have interests in any other telecommunications carrier.

Pursuant to the terms of the proposed transaction, Shift8 will form T3 Acquisition, Inc., a Florida corporation, that will merge with and into T3 Com, with T3 Com surviving the merger as a wholly owned subsidiary of Shift8. Applicants assert that the proposed transaction is entitled to presumptive

¹ See 47 U.S.C. § 214; 47 CFR § 63.03. Applicants also filed applications for the transfer of authorizations associated with international services. On June 21, 2017, Applicants filed a supplement to their domestic Section 214 application. Any action on this domestic Section 214 application is without prejudice to Commission action on other related, pending applications.

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.²

Domestic Section 214 Application Filed for the Transfer of Control of T3 Communications, Inc. to Shift8 Technologies, Inc., WC Docket No. 17-160 (filed June 7, 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 July 5, 2017**, and reply comments **on or before July 12, 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) Gregory Kwan, Competition Policy Division, Wireline Competition Bureau, gregory.kwan@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.

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)

² 47 CFR § 63.03(b)(2)(i).

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 Gregory Kwan at (202) 418-1191.

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