



PUBLIC NOTICE

Federal Communications Commission
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Internet: <http://www.fcc.gov>
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DA 18-184
February 26, 2018

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL
OF SAN ISABEL TELECOM, INC.
TO FUTURUM COMMUNICATIONS CORP D/B/A FORETHOUGHT.NET**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 18-50

Comments Due: March 12, 2018
Reply Comments Due: March 19, 2018

By this Public Notice, the Wireline Competition Bureau (Bureau) seeks comment from interested parties on an application filed by San Isabel Telecom, Inc. (San Isabel), Futurum Communications Corp d/b/a Forethought.net (Futurum) (together, 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 for the transfer of control of San Isabel to Futurum.¹ Applicants consummated the transaction without prior Commission approval on December 19, 2016.²

San Isabel, a Colorado corporation, provides competitive local exchange and interexchange telephone services and other services to customers in Colorado. Futurum, a Colorado corporation, also provides competitive local exchange and interexchange telephone services and other services to customers in Colorado. Futurum is wholly owned by Jawaid Bazayr, a U.S. citizen.

Pursuant to the terms of the agreement, Forethought Acquisitions, a holding company owned by Futurum, acquired all the issued and outstanding stock in, and therefore direct control of, San Isabel, in exchange for cash. The Applicants state that Futurum and San Isabel continue to provide service to their respective customers without change in rates, terms, or conditions of service.

¹ See 47 U.S.C. § 214; 47 CFR §§ 63.03-04. Applicants also filed an application 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 Letter from Lance J.M. Steinhart, Esq., Counsel to Applicants, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 18-50 at 1 (filed Feb. 8, 2018). On February 22, 2018, the Bureau granted the Applicants' request for special temporary authority to authorize San Isabel to continue providing service for 60 days pending approval of the domestic section 214 application. A grant of the application would be without prejudice to any enforcement action by the Commission for non-compliance with the Act or the Commission's rules.

Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under sections 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 San Isabel Telecom, Inc. to Futurum Communications Corp d/b/a Forethought.net,
WC Docket No. 18-50 (filed Feb. 20, 2018).

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 March 12, 2018**, and reply comments **on or before March 19, 2018**. 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) Tracey Wilson, Competition Policy Division, Wireline Competition Bureau, tracey.wilson@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; and
- 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

³ 47 CFR § 63.03(b)(2)(i).

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 Tracey Wilson at (202) 418-1394 or Dennis Johnson at (202) 418-0809.

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