



PUBLIC NOTICE

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

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DA 18-725
July 12, 2018

DOMESTIC SECTION 214 APPLICATIONS FILED FOR THE TRANSFER OF CONTROL OF INTEREXCHANGE RESELLERS TO MARTIN TIBBITTS

NON-STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket Nos. 18-107, 18-108, 18-109, 18-110, 18-111, 18-112

Comments Due: July 26, 2018

Reply Comments Due: August 2, 2018

By this Public Notice, the Wireline Competition Bureau (Bureau) seeks comment from interested parties on applications filed by various interexchange resellers (collectively, Licensees) and Mr. Martin Tibbitts (Transferee; together with Licensees, 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 the transfer of control of the Licensees to Mr. Tibbitts.¹

The Licensees, all U.S.-based interexchange resellers, provide resold interexchange services to customers in multiple states. The Bureau has assigned a docket number to each application and describes them briefly as follows:

- **WC Docket No. 18-107:** Applicants state that Business Network Long Distance Inc., a Nevada corporation, is currently wholly owned by Brian Curtiss.
- **WC Docket No. 18-108:** Applicants state that Network Service Billing, Inc., a Nevada corporation, is currently wholly owned by Peter Lagergren.
- **WC Docket No. 18-109:** Applicants state that Nationwide Long Distance Service, Inc., a Nevada corporation, is currently wholly owned by Andrea Hylan.
- **WC Docket No. 18-110:** Applicants state that Integrated Services, Inc., a Nevada corporation, is currently wholly owned by Larry Gilleland.

¹ See 47 U.S.C. § 214; 47 CFR §§ 63.03-04. On August 11, 2017, the International Bureau granted applications associated with international services provided by Licensees. See *Streamlined International Applications Accepted for Filing, Section 214 Applications (47 C.F.R. § 63.18)*, Public Notice, Report No. TEL-01859S (IB Jul. 28, 2017). On May 22, 2018, Applicants filed verifications attesting to the facts in each of the domestic section 214 applications filed in WC Docket Nos. 18-107 through 18-112. See Letters from Kenny Perkins, Consultant for Applicants, to the Federal Communications Commission, WC Docket Nos. 18-107-18-112 (filed May 22, 2018). Applicants submitted corrected declarations along with lists of the states where each of the Transferees currently provide service on June 20, 2018. Any action on the domestic section 214 applications is without prejudice to Commission action on other related applications.

- **WC Docket No. 18-111:** Applicants state that Communications Network Billing, Inc., a Nevada corporation, is currently wholly owned by Christina Tucker.
- **WC Docket No. 18-112:** Applicants state that Multiline Long Distance, Inc., an Ohio corporation, is currently wholly owned by Everard Meade.

Pursuant to the terms of the proposed transactions, Mr. Martin Tibbitts, a U.S. citizen, will purchase all of the shares of common stock from each of the current owners of the Licensees. Applicants state that, following the consummation of these transactions, Mr. Tibbitts will wholly own each of the Licensees. Applicants assert that a grant of the applications will serve the public interest, convenience, and necessity. Although Applicants request streamlined processing, because of the public interest review associated with the proposed transactions, the applications are not subject to streamlined treatment.²

Domestic Section 214 Applications Filed for the Transfer of Control of Interexchange Resellers to Martin Tibbitts, WC Docket Nos. 18-107, 18-108, 18-109, 18-110, 18-111, 18-112 (each filed Mar. 30, 2018).

GENERAL INFORMATION

The applications 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 July 26, 2018**, and reply comments or oppositions to petitions **on or before August 2, 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.

² 47 CFR § 63.03(c)(1).

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) Alex Johns, Wireline Competition Bureau, alexis.johns@fcc.gov;
- 3) Tracey Wilson, Wireline Competition Bureau, tracey.wilson@fcc.gov;
- 4) David Krech, International Bureau, david.krech@fcc.gov;
- 5) 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.³ 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.⁴ 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 Alex Johns at (202) 418-1167.

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³ 47 CFR § 1.1200 *et seq.*

⁴ *See* 47 CFR § 1.45(c).