



PUBLIC NOTICE

Federal Communications Commission
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DA 19-58
February 7, 2019

DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF LOCUS TELECOMMUNICATIONS, LLC TO TELRITE HOLDINGS, INC.

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 19-4

Comments Due: February 21, 2019

Reply Comments Due: February 28, 2019

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on an application filed by KDDI America, Inc. (KDDIA) and Telrite Holdings, Inc. (Telrite Holdings) (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 the transfer of indirect control of Locus Telecommunications, LLC (Locus) to Telrite Holdings.¹

KDDIA, a New York corporation that is owned by KDDI Corporation, a Japanese corporation, provides competitive telecommunications services and other services throughout the United States. Locus is a Delaware limited liability company and wholly owned subsidiary of KDDIA. Applicants state that Locus holds blanket domestic section 214 authority and offers nationwide resold prepaid wireless services.

Telrite Holdings, a privately-held Georgia corporation and holding company, offers telecommunications services through its wholly owned direct subsidiary, Telrite Corporation (Telrite Corp.), also a Georgia corporation. Telrite Corp. is authorized to provide competitive telecommunications services in multiple states. In addition, Telrite Corp. provides eligible telecommunications carrier services through Telrite Corporation d/b/a Life Wireless in 31 states. Telrite Holdings also offers nationwide prepaid wireless services through its wholly owned subsidiary, Puretalk Holdings, LLC, a Georgia limited liability company. Applicants state that the following U.S. citizens and U.S.-based trust hold a 10 percent or greater interest in Telrite Holdings: Reginald McFarland (27.49 percent); Kelly Jesel (13.89 percent); and the Prairie Fire Trust (12.24

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. On February 1, 2019, Applicants filed supplements to their domestic section 214 application. Any action on the domestic section 214 application is without prejudice to Commission action on other related, pending applications.

percent).² Applicants state that neither of these individuals nor trust hold a 10 percent or greater interest in any other telecommunications company.

Pursuant to the terms of the proposed transaction, Telrite Holdings will acquire all of the issued and outstanding membership interests of Locus. Following the consummation of this transaction, Locus will exist as a wholly owned direct subsidiary of Telrite Holdings. Applicants assert 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
Locus Telecommunications, LLC to Telrite Holdings, Inc., WC Docket No. 19-4
(filed Jan. 28, 2019).

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 February 21, 2019**, and reply comments **on or before February 28, 2019**. 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) Gregory Kwan, Competition Policy Division, Wireline Competition Bureau, gregory.kwan@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.

² Applicants state that the Prairie Fire Trust is a Grantor Trust established by Reginald McFarland for the benefit of his children and grandchildren, all U.S. citizens.

³ 47 CFR § 63.03(b)(2)(i).

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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 Tracey Wilson at (202) 418-1394 or Gregory Kwan at (202) 418-1191.

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