



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
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**Report No. TEL-01015NS**

**Wednesday April 12, 2006**

## **NON STREAMLINED INTERNATIONAL APPLICATIONS ACCEPTED FOR FILING**

### **Section 214 Applications (47 C.F.R. § 63.18); Authorize Switched Services over Private Lines (47 C.F.R. § 63.16) and Section 310(b)(4)**

Unless otherwise specified, the following procedures apply to the applications listed below:

The applications listed below have been found, upon initial review, to be acceptable for filing. These applications are not subject to the streamlined processing procedures set forth in Section 63.12 of the Commission's rules, 47 C.F.R. § 63.12. These applications shall not be deemed granted until the Commission affirmatively acts upon the application, either by public notice or by written order. Operation for which authorization is sought may not commence except in accordance with any terms or conditions imposed by the Commission.

Unless otherwise specified, interested parties may file comments with respect to these applications within 28 days of the date of this public notice. We request that such comments refer to the application file number shown below. No application listed below shall be granted by the Commission earlier than the day after the date specified in this public notice for the filing of comments.

Unless otherwise specified, ex parte communications between outside parties and Commission staff concerning these applications are permitted subject to the Commission's rules for "permit-but-disclose proceedings." See 47 C.F.R. § 1.1206.

Copies of all applications listed here are available for public inspection in the FCC Reference and Information Center, located in room CY-A257 at the Portals 2 building, 445 12th Street SW, Washington DC 20554. The center can be contacted at (202) 418-0270. 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](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty). All applications listed are subject to further consideration and review, and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

## Petition for Declaratory Ruling

Telemetrix Inc. ("Telemetrix" or the "Petitioner") requests a declaratory ruling that it is in the public interest to permit indirect foreign ownership of its wholly-owned subsidiary, Tracy Corporation II ("Tracy II"), in excess of the 25 percent benchmark set forth in section 310(b)(4) of the Communications Act of 1934, as amended (the "Act"). Tracy II holds twenty-eight (28) Commercial Mobile Radio Service licenses. Specifically, Tracy II holds a Personal Communications Service license for Basic Trading Area ("BTA") 411, KNLF407, which serves the geographic area of Scottsbluff, Nebraska and western Wyoming; and twenty-seven (27) paging and mobile telephone licenses serving various locations in Western Nebraska, Eastern Wyoming, and Northeastern Colorado.

Telemetrix filed its petition in connection with a pending application for consent to transfer control of Telemetrix and its subsidiary, Tracey II, to a group of shareholders that will consist of certain existing foreign shareholders of Telemetrix and new foreign investors. See ULS File Number 0002156736. Telemetrix requests that the Commission approve the 70.76 percent indirect foreign ownership of Tracy II that would result from the proposed transfer of control.

According to the petition, Tracy II is a Nebraska corporation, and Telemetrix is a publicly-held Delaware corporation. Upon consummation of the transaction, foreign ownership of Telemetrix will be held as follows: (1) Hartford Holdings Ltd. (8.30%) and certain related individuals and entities (in the aggregate, an additional 2.20%); (2) Becker Capital Management LLC ("BCM") (23.10%); (3) Tower Gate Finance Ltd. ("TGF") (11.09%); and (4) Nyssen LP (26.07%).

Hartford Holdings is a Cayman Islands, British West Indies corporation, wholly owned and controlled by Mr. William Becker, a citizen of Canada. BCM is a Colorado limited liability company whose sole members are Mr. Becker and his sons, Larry Becker and Lorn Becker, both of whom also are citizens of Canada. TGF is a wholly-owned subsidiary of Tower Gate Limited, both of which are organized under the laws of the United Kingdom. Tower Gate Limited is majority owned and controlled by Matthew Hudson, a U.K. citizen. Nyssen LP is a U.K. limited partnership that is controlled by Mr. Hudson, and his wife, Katherine Hudson, who also is a U.K. citizen.

The Petitioner asserts that, pursuant to the rules and policies established by the Commission's Foreign Participation Order, 12 FCC Rcd 18158 (2000), the indirect foreign ownership of Tracey II in excess of the 25 percent benchmark in Section 310(b)(4) of the Act is consistent with the public interest.

## Transfer of Control

**Current Licensee:** U.S. Satellite Corporation

**FROM:** Albertsons Inc.

**TO:** New Albertson's Inc.

Application for consent to transfer control of international section 214 authorizations, ITC-214-19800919-00001, ITC-214-19870904-00001, and ITC-214-19910313-00004, held by U.S. Satellite Corporation (U.S. Satellite), a wholly-owned subsidiary of Albertsons, Inc., to New Albertson's Inc., a wholly-owned subsidiary of Supervalu Inc. Pursuant to the proposed transaction, Albertsons, Inc. will merge with and into Supervalu Inc., which is a publicly-traded Delaware corporation. Supervalu will then transfer its 100 percent ownership interest in U.S. Satellite to Supervalu's new direct, wholly-owned subsidiary, New Albertson's Inc. Barclays PLC, a publicly-held U.K. company, holds an indirect 12 percent ownership interest in Supervalu Inc. through its wholly-owned U.S. subsidiary, Barclays Global Investors, N.A. There are no other 10% or greater ownership interests in Supervalu Inc.

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## REMINDER:

Applicants must certify that neither the applicant nor any party to the application is subject to a denial of federal benefits by federal and/or state courts under authority granted in 21 U.S.C. § 862. See 47 C.F.R. §§ 1.2001–2003.

An updated version of Section 63.09-.25 of the rules, and other related sections, is available at <http://www.fcc.gov/ib/pd/pf/telecomrules.html>