

# **PUBLIC NOTICE**

FEDERAL COMMUNICATIONS COMMISSION 445 12th STREET S.W. WASHINGTON D.C. 20554

News media information 202-418-0500 Fax-On-Demand 202-418-2830; Internet: http://www.fcc.gov (or ftp.fcc.gov) TTY (202) 418-2555

Report No. TEL-01067S

Friday September 15, 2006

## STREAMLINED INTERNATIONAL APPLICATIONS ACCEPTED FOR FILING SECTION 214 APPLICATIONS (47 C.F.R. § 63.18); SECTION 310(B)(4) REQUESTS

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

The international Section 214 applications listed below have been found, upon initial review, to be acceptable for filing and 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 are for authority under Section 214 of the Communications Act, 47 U.S.C. § 214, (a) to transfer control of an authorized carrier or to assign a carrier's existing authorization; and/or (b) to become a facilities-based international common carrier; and/or (c) to become a resale-based international common carrier.

Pursuant to Section 63.12 of the rules, these Section 214 applications will be granted 14 days after the date of this public notice (see 47 C.F.R. § 1.4 regarding computation of time), and the applicant may commence operations on the 15th day, unless the Commission has informed the applicant in writing, within 14 days after the date of this public notice, that the application, on further examination, has been deemed ineligible for streamlined processing.

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. An application can be removed from streamlined processing only in the sound discretion of Commission staff. The filing of comments or a petition to deny will not necessarily result in an application being deemed ineligible for streamlined processing.

The petitions for declaratory ruling listed below are for authority under Section 310(b)(4) of the Communications Act, 47 U.S.C. § 310(b)(4), to exceed the 25 percent foreign ownership benchmark applicable to common carrier radio licensees. The requested rulings will be granted 14 days after the date of this public notice, effective the next day, unless the application is formally opposed or the Commission has informed the applicant in writing, within 14 days of the date of this public notice, that the application, on further examination, has been deemed ineligible for streamlined processing. For this purpose, a formal opposition shall be sufficient only if it is received by the Commission and by the applicant within 14 days of the date of this public notice and its caption and text make it unmistakably clear that it is intended to be a formal opposition.

Copies of all applications listed here are available for public inspection in the FCC Office of Public Affairs 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 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.

We request that comments on any of these applications refer to the application file number shown below.

### ITC-214-20060905-00417 E

TOP Communication Inc.

International Telecommunications Certificate

Service(s): Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service

Application for authority to provide facilities-based service in accordance with Section 63.18(e)(1) of the rules, and also to provide service in accordance with Section 63.18(e)(2) of the rules.

#### ITC-214-20060907-00421 E

IP Transaction Services, LLC

International Telecommunications Certificate

**Service(s):** Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service Application for authority to provide facilities-based service in accordance with Section 63.18(e)(1) of the rules, and also to provide service in accordance with Section 63.18(e)(2) of the rules.

#### ITC-214-20060912-00427 E

Spectrum Telecom, Inc.

International Telecommunications Certificate

Service(s): Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service

Application for authority to provide facilities-based service in accordance with Section 63.18(e)(1) of the rules, and also to provide service in accordance with Section 63.18(e)(2) of the rules.

ITC-T/C-20060824-00404 E Mustang Communications Corporation

Transfer of Control

Current Licensee: Mustang Communications Corporation

FROM: Hector Communications Corporation

TO: Hector Communications Corporation

Application for consent to transfer control of international section 214 authorization, ITC-214-20050713-00253, held by Mustang Communications Corporation (Mustang) from the current shareholders of Hector Communications Corporation (Hector), Mustang's 100 percent direct parent, to Blue Earth Valley Communications, Inc. (Blue Earth), Arvig Enterprises, Inc. (Arvig) and New Ulm Telecom, Inc. (New Ulm). Pursuant to an agreement between Hector, Blue Earth, Arvig, and New Ulm, Hector will transform from a publicly-traded corporation into a private company owned equally by Blue Earth, Arvig, and New Ulm (33.33 percent each). The transaction will be accomplished by the merger of Hector Acquisition Corp. (HAC), a newly formed Minnesota corporation owned equally by Blue Earth, Arvig, and New Ulm, into Hector, with Hector emerging as the surviving corporation. The pre-merger shares and rights of Hector will be cancelled and extinguished through payment of merger consideration to consenting shareholders, option holders, and dissenting shareholders. Upon consummation, Mustang will continue to be 100 percent owned by Hector. The following U.S. individuals or entities hold 10 percent or greater equity interest in Blue Earth: Neil and Sue Eckles (22.41 percent), Gail Eckles (24.66 percent), William V. Eckles (19.84 percent), Eckles Dynasty Trust #1 (16.55 percent), Eckles Dynasty Trust #2 (16.55 percent) (William V. Eckles is the trustee of, and he and his issues are the beneficiaries of, Eckles Dynasty Trust #3 1&2). The following U.S. individuals or entities hold ten percent or greater equity interest in Arvig: Allen Arvig (31.1 percent), Arvig Employee Stock Ownership Plan (20.2 percent), Donna Ward (18.6 percent). New Ulm has more than 1,300 shareholders, none of which hold ten percent or greater equity interest.

Indianhead Communications Corporation

Transfer of Control

Current Licensee: Indianhead Communications Corporation

FROM: Hector Communications Corporation

**TO:** Hector Communications Corporation

Application for consent to transfer control of international section 214 authorization, ITC-214-19970919-00565, held by Indianhead Communications Corporation (Indianhead) from the current shareholders of Hector Communications Corporation (Hector), Indianhead's 100 percent direct parent, to Blue Earth Valley Communications, Inc. (Blue Earth), Arvig Enterprises, Inc. (Arvig) and New Ulm Telecom, Inc. (New Ulm). Pursuant to an agreement between Hector, Blue Earth, Arvig, and New Ulm, Hector will transform from a publicly-traded corporation into a private company owned equally by Blue Earth, Arvig, and New Ulm (33.33 percent each). The transaction will be accomplished by the merger of Hector Acquisition Corp., a newly formed Minnesota corporation owned equally by Blue Earth, Arvig, and New Ulm, into Hector, with Hector emerging as the surviving corporation. The pre-merger shares and rights of Hector will be cancelled and extinguished through payment of merger consideration to consenting shareholders, option holders, and dissenting shareholders. Upon consummation, Indianhead will continue to be 100 percent owned by Hector. The following U.S. individuals or entities hold 10 percent or greater equity interest in Blue Earth: Neil and Sue Eckles (22.41 percent), Gail Eckles (24.66 percent), William V. Eckles (19.84 percent), Eckles Dynasty Trust #1 (16.55 percent), Eckles Dynasty Trust #2 (16.55 percent) (William V. Eckles is the trustee of, and he and his issues are the beneficiaries of, Eckles Dynasty Trust #s 1&2). The following U.S. individuals or entities hold ten percent or greater equity interest in Arvig: Allen Arvig (31.1 percent), Arvig Employee Stock Ownership Plan (20.2 percent), Donna Ward (18.6 percent). New Ulm has more than 1,300 shareholders, none of which hold ten percent or greater equity or controlling interest.

#### **REMINDERS**:

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.

A current version of Section 63.09-.24 of the rules, and other related sections, is available at http://www.fcc.gov/ib/pd/pf/telecomrules.html.

ITC-T/C-20060907-00422 E