



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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Report No. TEL-01386NS

Wednesday September 16, 2009

**NON STREAMLINED INTERNATIONAL APPLICATIONS/PETITIONS 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 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

Green Eagle Communications, Inc. ("Green Eagle" or "Petitioner") requests a declaratory ruling that the indirect foreign ownership of its wholly-owned subsidiary, Green Eagle Networks Inc. ("Green Eagle Networks"), in excess of the 25 percent benchmark set forth in section 310(b)(4) of the Communications Act of 1934, as amended, will serve the public interest. Green Eagle filed its petition in connection with the proposed assignment of two Personal Communications Service ("PCS") licenses to Green Eagle Networks for the provision of service in the geographic area of Scottsbluff, Nebraska and western Wyoming. See ULS File No. 0003926139.

According to the petition, Green Eagle and Green Eagle Networks are both Delaware corporations. Petitioner states that, currently, 70 percent of the equity and voting interests of Green Eagle are held by foreign individuals and entities as follows: (1) KDSL Investments LLC ("KDSL") (12.13%); (2) GAH Investments LLC ("GAH") (19.67%); (3) Becker Capital Management, LLC ("BCM") (13.22%); (4) Man Prince Holdings ("Man Prince") (20%); and (5) Man Prince Holdings 2 ("Man Prince 2") (4.98%).

KDSL is a Colorado limited liability holding company, controlled and owned by the children of Larry L. Becker, all of whom are Canadian citizens. GAH is a Colorado limited liability holding company, wholly owned and controlled by Gayle Becker, a citizen of Canada. BCM is a Colorado limited liability holding company, wholly owned by the LLB/GB Family Trust and controlled by Larry L. Becker, a citizen of Canada. The LLB/GB Family Trust is organized in the Cook Islands, and its beneficiaries are Larry L. Becker, Gayle Becker, and their children, all of whom are Canadian citizens. Man Prince and Man Prince 2, both of which are organized under the laws of Canada, are wholly owned and controlled by Lorn Becker, a Canadian citizen.

Green Eagle also requests that the Commission's ruling permit Green Eagle Networks to accept up to and including an additional, aggregate 25 percent indirect foreign equity and/or voting interests from these and other foreign investors without seeking further Commission approval under section 310(b)(4) of the Communications Act.

The Petitioner asserts that, pursuant to the rules and policies established by the Commission's Foreign Participation Order, 12 FCC Rcd 23891 (1997), Order on Reconsideration, 15 FCC Rcd 18158 (2000), the indirect foreign ownership of Green Eagle Networks in excess of the 25 percent benchmark of section 310(b)(4) of the Communications Act is consistent with the public interest. The Petitioner affirms that it will adhere to the Commitments agreed to by Telemetrix Inc. by Letter dated July 24, 2006 to the United States Department of Justice, United States Department of Homeland Security and Federal Bureau of Investigation.

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>