



# PUBLIC NOTICE

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

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**Report No. TEL-01534S**

**Friday December 23, 2011**

## **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](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.

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

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**ITC-214-20111207-00377** E E Z Call 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 Commission's rules, and also to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(1), (2).

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**ITC-214-20111212-00365** E Simplexity MVNO Services, LLC

International Telecommunications Certificate

**Service(s):** Global or Limited Global Resale Service

Application for authority to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(2).

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**ITC-214-20111212-00374** E Mobile Annex, 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 Commission's rules, and also to provide resale service in accordance with section 63.18(e)(2) of the Commission's rules, 47 C.F.R. § 63.18(e)(1), (2).

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**ITC-T/C-20111201-00363** E Hypercube Telecom, LLC

Transfer of Control

**Current Licensee:** Hypercube Telecom, LLC

**FROM:** Hypercube, LLC

**TO:** Rubik Acquisition Company, LLC

Application filed for consent to the transfer of control of international section 214 authorization, ITC-214-20050203-00058, held by HyperCube Telecom, LLC (Hypercube Telecom), from its 100% parent HyperCube, LLC (HyperCube Parent), to Rubik Acquisition Company, LLC (Rubik). Pursuant to the terms of a Securities Purchase Agreement (Agreement) dated November 23, 2011, Rubik will acquire all of the membership interests in Hypercube Parent directly from its current members with the exception of Annex Holdings HC Corporation, which currently holds 26.06% membership interests in HyperCube Parent. Rubik will acquire Annex's interest by acquiring all of the equity in Annex. Upon completion of the proposed acquisitions, Rubik will have a direct 73.94% interest in HyperCube Parent and a 26.06% indirect interest through Annex. Hypercube will thus be an indirect wholly-owned subsidiary of Rubik.

Rubik is a wholly owned subsidiary of West Corporation (West). The following individuals or entities, all U.S. citizens, hold a direct 10 percent or greater ownership interest in West: Gary L. West and Mary E. West (West family) (each 12.5%); The Quadrangle Group (Quadrangle) (collectively 12.5%); and the Funds of Thomas H. Lee (THL), a private equity firm, holds an aggregate interest of approximately 60% in West through six (6) subsidiary funds (the THL Funds), namely, Thomas H. Lee Equity Fund VI, L.P. (24.9%); Thomas H. Lee Parallel Fund VI, L.P. (16.9%); Thomas H. Lee Parallel (DT) Fund VI, L.P. (2.9%); THL Equity Fund VI Investors (West), L.P. (13.1%); THL Equity Fund VI Investors (West) HL, L.P. and THL Coinvestment Partners, L.P. (THL Coinvestment Partners) (0%). THL Equity Advisors VI, LLC (THL Equity Advisors VI) is general partner of all THL Funds except THL Coinvestment Partners. Thomas H. Lee Partners, L.P. (THL Partners) is the general partner of THL Coinvestment Partners. THL Partners is the sole member of THL Equity Advisors VI. Thomas H. Lee Advisors, LLC (Advisors) is the general partner of Thomas Lee Partners, L.P. Voting or investment control over securities that the THL Funds are acted upon by the majority vote of members of a ten-member committee, consisting currently of all U.S. citizens: Todd M. Abbrecht, Charles A. Brizius, Anthony J. DeNovi, Thomas M. Hagerty, Scott L. Jaeckel, Seth W. Lawry, Soren L. Oberg, Scott A. Schoen, Scott M. Sperling, and Kent R. Weldon.

Quadrangle holds its interest through three (3) entities: Quadrangle Capital Partners II, LP, Quadrangle Select Partners II LP, and Quadrangle Capital Partners II-A LP (together Quadrangle Funds). Voting or investment control over securities that are owned by Quadrangle Funds are acted upon by the investment committee of QCP GP Investors II LLC as general partner of Quadrangle GP Investors II LP, the common general partner of the Quadrangle Funds. The current members of the investment committee of QCP GP Investors II LLC are Michael A. Huber and Peter R. Ezersky, both U.S. citizens. No other individual or entity will hold a ten percent or greater direct or indirect equity or voting interest in West or HyperCube.

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ITC-T/C-20111214-00370 E BFI Licenses, LLC

Transfer of Control

**Current Licensee:** BFI Licenses, LLC

**FROM:** BFI Investors, LLC

**TO:** CSC Encompass Holdings, LLC

Application filed for consent to the transfer of control of international section 214 authorization, ITC-214-19940411-00382 (Old File No. ITC-94-083), held by BFI License, LLC (BFI), from BFI Investors, LLC (BFI Investors) to CSC Encompass Holdings, LLC (CSC Holdings). BFI is an indirect wholly-owned subsidiary of Encompass Digital Media Group, Inc. (EDMG). Pursuant to the terms of a share purchase agreement, CSC Holdings will acquire all of the interests in EDMG currently held by BFI Investors (62.1%), and Tennenbaum Capital Partners, LLC (TCP) (10.7%), and approximately half of the shares owned by Simon Bax and William Tillson (approximately 13.1% each). CSC Holdings will then have an approximately 88.7% ownership of EDMG and control of BFI.

CSC Holdings is a holding company for two investment funds, Court Square Capital Partners II, LP (CSC Fund II) and Court Square Capital Partners (Executive) II, LP (CSC Executive II) (together Court Square Funds), each of which is a Delaware limited partnership. The Court Square Funds will collectively hold an 88.7% indirect interest in BFI through their interest in CSC Holdings. CSC Fund II will hold 98.13% of the LLC interests in CSC Holdings. CSC Fund II is owned by numerous limited partners consisting of pension funds, individuals, and institutions, none of whom will hold 10 percent or greater direct or indirect ownership interests in CSC Holdings. CSC Fund II is managed by and controlled by its general partner Court Square Capital GP, LLC (the GP), a Delaware limited liability company that is owned by investment professional at Court Square, all U.S. citizens. None of the owners of GP will hold a 10 percent or greater ownership interest in BFI. The GP is managed and controlled by a Board of Managers (Board) consisting of six (6) members of the GP, all U.S. citizens: William Comfort, David Thomas, Michael Delaney, Joseph Silvestri, Ian Highet, and John Weber, who were appointed in the limited liability company agreement of the GP and will continue to serve on the Board so long as they remain investment professionals at Court Square. Decisions of the Board, including designation of replacement members, are made by the approval of a majority of the Board members. Pursuant to the terms of an investment management agreement, certain of CSC Funds II's investment decisions have been delegated to an investment committee comprised of the board members of the GP and Thomas McWilliams, a U.S. citizen. No other individual or entity will have a ten percent or greater direct or indirect equity or voting interest in CSC Holdings of BFI.

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ITC-T/C-20111214-00371 E Airadigm Communications, Inc.

Transfer of Control

**Current Licensee:** Airadigm Communications, Inc.

**FROM:** Wisconsin Wireless Communication Corporation

**TO:** TELEPHONE AND DATA SYSTEMS, INC.

Application filed for consent to the transfer of control of international section 214 authorization, ITC-214-19960621-00262 (Old File No. ITC-96-339), held by Airadigm Communications Inc. (Airadigm), from Wisconsin Wireless Communication Corporation (WWCC) to Telephone and Data Systems Inc. (TDS). On September 23, 2011, TDS acquired control of Airadigm pursuant to a Plan of Reorganization that was approved by an order of the United States Bankruptcy Court for the Eastern District of Wisconsin (Order rel. Oct. 27, 2006, Case No. 06-10930-11), and confirmed by the final order entered by the United States Court of Appeals for the Seventh Circuit. See *In re Airadigm Communications*, 519 F.3d 640 (7th Cir. 2008); *In re Airadigm Communications v. FCC*, 547 F.3d 763 (7th Cir. 2009); *In re Airadigm Communications*, 616 F.3d 647 (7th Cir. 2010). TDS now holds an approximate 62.75% controlling interest in TDS and by the United States of America holds an approximate 37.25% minority interest. The parties obtained Commission consent to the transfer of control Airadigm's Broadband PCS licenses prior to the consummation of the transaction (see ULS File No. 0004717080), but failed to obtain prior Commission consent to the transfer of control of the international section 214 authorization.

TDS is a publicly traded Delaware corporation. TDS is controlled by a voting trust whose trustees are LeRoy T. Carlson, Jr. (President TDS), Walter C.D. Carlson (Chairman TDS), Prudence E. Carlson, and Dr. Letitia G.C. Carlson, who are brothers and sisters and are all U.S. citizens. The voting trust controls 53.6% of the voting power of TDS's total shares that vote in matters other than the election of directors and 94.4% of the Series A Common Shares which elect eight (8) of TDS's twelve directors. No other individual or entity holds 10 percent or greater direct or indirect equity or voting interest in TDS or Airadigm.

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**INFORMATIVE**

ITC-214-20111108-00344

GSH COMMUNICATIONS LLC

This application has been removed from Streamlined processing pursuant to Section 63.12(c)(3) of the Commission's rules.

**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>.