



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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Report No. TEL-01625NS

Thursday July 18, 2013

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

AB License Co LLC ("AB License" or the "Petitioner") filed a petition for declaratory ruling ("Petition") asking the Commission to allow AB License to exceed the 25% statutory benchmark set forth in section 310(b)(4) of the Communications Act of 1934, as amended (the "Act"). The Petition is being filed in connection with a pending application seeking Commission consent to the assignment of various A-Block 700 MHz licenses from Cox TMI Wireless, LLC, a wholly-owned subsidiary of Cox Communications, Inc. to AB License. See ULS File No. 0005839036.

AB License is a Delaware limited liability company. It is a wholly-owned subsidiary of AB Spectrum LLC ("AB Spectrum"), which is currently held as follows: Telecom Ventures, LLC ("Telecom"), a Florida limited liability company (50%); Columbia Capital Equity Partners V (QP) LP ("CCEP"), a Delaware limited partnership (31.29%); and Columbia AB Spectrum, LLC ("Columbia AB"), also a Delaware limited liability company (18.71%). AB Spectrum is managed and controlled by its Board, consisting of four directors: two appointed by Telecom and two by CCEP and Columbia AB. CCEP and Columbia AB are affiliates commonly controlled by Columbia Capital, a U.S. venture capital firm headquartered in Virginia. Petitioner states that it has filed the section 310(b)(4) petition primarily to accommodate the planned acquisition of a 49% equity interest (with 0% voting interest) in AB Spectrum by Future Fund Board of Guardians - an Australian entity established by the Future Fund Act of 2006 (Commonwealth of Australia) - through its wholly-owned subsidiary, Future Fund Investment Company No. 3 Pty Ltd ("Future Fund Investment").

According to the Petition, Future Fund Investment, a proprietary limited company incorporated in Victoria, Australia, has made an escrow deposit for the benefit of AB Spectrum which, when released from escrow upon closing, will comprise a fraction of the 49% equity interest being acquired by Future Fund Investment. Future Fund Investment Company No. 4 - another wholly-owned subsidiary of the Future Fund Board of Guardians - holds approximately 2.53% equity interest in AB Spectrum through Columbia AB. The Petition notes that, while the Future Fund Board of Guardians holds the Future Fund assets for and on behalf of the Commonwealth of Australia, the Future Fund Board of Guardians is responsible for specific investment decisions, and any control exercised with respect to those investments is exercised by the Future Fund Board of Guardians independently of the Government of Australia.

Petitioner explains that, prior to closing the planned investment and assignment of licenses, the Future Fund Board of Guardians through its wholly-owned subsidiaries will adjust its current holdings in AB Spectrum so that its aggregate share of AB Spectrum equity remains less than 50%. Future Fund Investment will have the authority to appoint one Board Observer, who will have the right to attend Board and committee meetings, speak on matters presented by others, and meet and consult with officers of AB Spectrum, but Future Fund Investment will not have a vote on matters before the Board. The remaining ownership interests in AB Spectrum will be held as follows: CCEP (15.95% equity and 25% voting interests); Columbia AB (9.55% equity and 25% voting interests); and Telecom (25.5% equity and 50% voting interests).

The Petitioner states that: (1) all of Telecom's investors are U.S. citizens or entities, including its controlling interest holders, Dr. Rajendra Singh and his wife, Neera; (2) foreign investors hold 17.68% of CCEP's equity and 95.10% of Columbia AB's equity (these investors are insulated and do not have a voting interest in AB Spectrum); and (3) following the proposed investment by Future Fund Investment, the foreign interests held in AB Spectrum through CCEP and Columbia AB will be reduced to approximately 11.9 %, and the aggregate foreign ownership of AB Spectrum will be approximately 60.90%.

The Petitioner states that the instant Petition meets all of the requirements of section 310 of the Act and the Commission's rules and policies, including the new rules adopted in the Foreign Ownership Second Report and Order, FCC 13-50, 28 FCC Rcd 5741 (2013), which will become effective August 9, 2013, see 78 Fed. Reg. 41314 (July 10, 2013). The Commission will apply the new rules in acting on the Petition.

Interested parties may file comments on or before August 1, 2013, and reply comments on or before August 8, 2013.

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>