



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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Streamlined International Applications Accepted For Filing

Section 214 Applications (47 CFR §§ 63.18, 63.24); Section 310(b) Petitions (47 CFR § 1.5000)

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 CFR § 63.12. These applications are for authority under section 214 of the Communications Act, 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. 47 U.S.C. § 214(a).

Pursuant to section 63.12 of the rules, these applications will be granted 14 days after the date of this public notice (see 47 CFR § 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. Pursuant to Section 1.1910(b)(2) of the rules, action will be withheld on any application by any entity found to be delinquent in its debts to the Commission. Applicants should check the Red Light Display System's website at www.fcc.gov/redlight to determine if they are delinquent in a debt to the Commission and for information on how to pay the debt. 47 CFR § 1.1910(b)(2).

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 CFR § 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.

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. 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.

Transfer of Control

Current Licensee: FiberComm L.C.

FROM: FiberComm L.C.

TO: ImOn Communications, LLC

FiberComm, L.C. (FiberComm), an Iowa limited company that holds an international section 214 authorization (ITC-214-20160406-00135), has filed an application for the transfer of control of FiberComm to ImOn Communications, LLC (ImOn). Pursuant to a Membership Interest Purchase Agreement, dated January 11, 2023, the parties propose that ImOn will purchase all issued and outstanding membership interests in FiberComm. Upon consummation, FiberComm will become a direct wholly owned subsidiary of ImOn.

ImOn, an Iowa limited liability company, is wholly owned by Hawkeye Intermediate LLC which, in turn, is wholly owned by Hawkeye TopCo Holdings LLC (Hawkeye TopCo), both Delaware limited liability companies. The following entities hold a direct 10% or greater interest in Hawkeye TopCo: WSIP IV Hawkeye (Onshore), L.P. (Hawkeye Onshore) (approx. 17.7%) and WSIP IV Hawkeye (Offshore), L.P. (Hawkeye Offshore) (approx. 49.9%), both Delaware entities.

The limited partner holding approximately 79.8% of Hawkeye Onshore is West Street Global Infrastructure Partners IV, L.P. (West Street Global), a Delaware entity. The State of Texas for the use and benefit of the Permanent School Fund, a Texas entity, holds approximately 61.4% of West Street Global.

The sole limited partner of Hawkeye Offshore is WSIP IV Hawkeye Offshore Fund Holdco (Onshore), LLC (Hawkeye Holdco), a Delaware entity. The sole limited partner of Hawkeye Holdco is WSIP IV Offshore Fund Holdco (Offshore), SLP (WSIP IV Offshore), a Luxembourg entity. The sole limited partner of WSIP IV Offshore is WSIP IV Offshore Investments Aggregator, SLP (WISP IV Aggregator), a Luxembourg entity. West Street Offshore Infrastructure Partners IV, L.P. (West Street Offshore), a Cayman Islands entity, holds an approximate 76.6% limited partnership interest in WSIP IV Aggregator and West Street European Infrastructure Partners IV, SLP (West Street European), a Luxembourg entity holds the other approximate 23.4% limited partner interests.

West Street Infrastructure Advisors IV, S.a.r.l. (West Street Advisors), a Luxembourg entity, is the general partner for WSIP IV Offshore, WISP IV Aggregator and West Street European. West Street Infrastructure Advisors IV, LLC (West Street), a Delaware entity, is the general partner for West Street Advisors, Hawkeye Onshore, Hawkeye Offshore, West Street Global and West Street Offshore. The Goldman Sachs Group, Inc., a publicly-traded Delaware corporation, is the sole member of West Street. According to the Applicants, no other individuals or entities will hold a 10% or greater interest in ImOn or Fibercom.

In the Executive Branch Review Process Order, the Commission set out categories of applications with reportable foreign ownership that may be excluded from referral to the Executive Branch for review for national security, law enforcement, foreign policy, and trade policy issues. See Process Reform for Executive Branch Review of Certain FCC Applications and Petitions Involving Foreign Ownership, IB Docket 16-155, Report and Order, 35 FCC 10927, 10938-42, paras. 29-39 (2020). Applicants have made a showing that the only reportable foreign ownership in Hawkeye Holdings is through passive, offshore intermediary holding companies and that 100% of the ultimate control is held by U.S. citizens or entities. We are exercising our discretion and are not referring this application to the Executive Branch. While we are not formally referring this application, we will provide a courtesy copy of this public notice the Executive Branch agencies. See id. at 10939, para 30, n. 81.

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 CFR §§ 1.2001-1.2003.