



PUBLIC NOTICE

Federal Communications Commission
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DA 13-2263

Released: November 26, 2013

DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF NI SATELLITE, INC. TO CLOOT INC.

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 13-292

Comments Due: December 10, 2013

Reply Comments Due: December 17, 2013

On November 21, 2013, NI Satellite, Inc. (NISI) and CLOOT Inc. (CLOOT) (together, Applicants) filed an application pursuant to section 63.03 of the Commission's rules¹ to transfer control of NISI to CLOOT.

NISI, a Florida corporation, provides telecommunications services across the United States primarily by reselling mobile satellite voice and data services. NISI is a wholly owned subsidiary of GMPCS Personal Communications, Inc. (GMPCS), a Delaware corporation that resells mobile satellite voice and data services. GMPCS is a wholly owned subsidiary of Network Terracom, Inc. (NTI), a Nevada holding company. NTI is a wholly owned subsidiary of Network Innovations Inc., a Canadian corporation owned by the Harkema Family Trust, whose beneficiaries are Timothy and Andrew Harkema and their children, Canadian citizens. CLOOT, a Delaware corporation, does not currently provide telecommunications services. Michael Huisman, a U.S. citizen, owns 90.1 percent of CLOOT and is not currently engaged in the provision of telecommunications services.

Pursuant to the terms of the proposed transaction agreement, CLOOT will purchase 100 percent of NISI. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(1)(ii) of the Commission's rules and that a grant of the application will serve the public interest, convenience, and necessity.²

Domestic Section 214 Application Filed for the Transfer of Control of NI Satellite, Inc. to CLOOT Inc., WC Docket No. 13-292 (filed Nov. 21, 2013).

¹ 47 C.F.R. § 63.03; *see* 47 U.S.C. § 214.

² 47 C.F.R. § 63.03(b)(1)(ii).

GENERAL INFORMATION

The transfer of control identified herein has been found, upon initial review, to be acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 CFR § 63.03(a), interested parties may file comments **on or before December 10, 2013**, and reply comments **on or before December 17, 2013**. Pursuant to section 63.52 of the Commission's rules, 47 C.F.R. § 63.52, commenters must serve a copy of comments on the Applicants no later than the above comment filing date. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.³

Pursuant to section 63.03 of the Commission's rules, 47 CFR § 63.03, parties to this proceeding should file any documents in this proceeding using the Commission's Electronic Comment Filing System (ECFS): <http://fjallfoss.fcc.gov/ecfs2/>.

In addition, e-mail one copy of each pleading to each of the following:

- 1) Tracey Wilson, Competition Policy Division, Wireline Competition Bureau, tracey.wilson@fcc.gov;
- 2) Jodie May, Competition Policy Division, Wireline Competition Bureau, jodie.may@fcc.gov;
- 3) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

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).

The proceeding in this Notice shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.⁴ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b), 47 C.F.R. § 1.1206(b). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

³ Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.

⁴ 47 C.F.R. §§ 1.1200 *et seq.*

For further information, please contact Tracey Wilson at (202) 418-1394 or Jodie May at (202) 418-0913.

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