



PUBLIC NOTICE

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DA 15-169
February 5, 2015

DOMESTIC SECTION 214 AUTHORIZATION GRANTED

Domestic Section 214 Application Filed for the Transfer of Control of U.S. Connect, LLC to Great Wireless, LLC

WC Docket No. 13-187

On July 18, 2013, U.S. Connect, LLC (US Connect), International Media Technology, LLC (IMT), LCSD Holdings, LLC (LCSD), Great Wireless, LLC (GW), Nadia Shivji, and Suleman Bhimani (together, Applicants) filed an application pursuant to section 63.03 of the Commission's rules¹ for a series of transactions that ultimately resulted in the transfer of control, without prior authorization from the Commission, of US Connect to GW.²

On August 13, 2013, the Commission released a public notice accepting the application for non-streamlined processing.³ On August 30, 2013, the Department of Justice, including the Federal Bureau of Investigation, with the concurrence of the Department of Homeland Security (collectively, the Executive Branch Agencies), filed a letter requesting that the Commission defer action on this application while they review potential national security, law enforcement, and public safety issues.⁴ On January 29, 2015, the Executive Branch Agencies withdrew their request to defer action, stating that they have no objection to the application.⁵

¹ 47 C.F.R § 63.03; *see* 47 U.S.C. § 214. Applicants are also filing applications for transfer of control associated with authorization for international services. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications. Applicants filed a supplement to their application on August 6, 2013.

² On August 8, 2013, the Wireline Competition Bureau granted Applicants' request for Special Temporary Authority for authorization to continue to provide service pending approval of this application. A grant of the application will be without prejudice to any enforcement action by the Commission for non-compliance with the Communications Act of 1934, as amended, or the Commission's rules. *See* Letter from Leon Nowalsky, Counsel, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 13-187 (filed July 16, 2013).

³ *Domestic Section 214 Application Filed for the Transfer of Control of U.S. Connect, LLC to Great Wireless, LLC*, WC Docket No. 13-187, Public Notice, DA 13-1750 (rel. Aug. 13, 2013).

⁴ *See* Letter from Tyrone Brown, U.S. Department of Justice, to Marlene H. Dortch, FCC, WC Docket No. 13-187 (filed Aug. 30, 2013).

⁵ *See* Letter from Tyrone Brown, U.S. Department of Justice, to Marlene H. Dortch, FCC, WC Docket No. 13-187 (filed Jan. 29, 2015).

The Wireline Competition Bureau finds, upon consideration of the record, that grant of the application will serve the public interest, convenience, and necessity. Consistent with Commission precedent, the Wireline Competition Bureau accords the appropriate level of deference to the Executive Branch Agencies' expertise on national security and law enforcement issues.⁶ Therefore, pursuant to section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 0.291 of the Commission's rules, 47 C.F.R. § 0.291, the Wireline Competition Bureau hereby grants the application discussed in this Public Notice.

Pursuant to section 1.103 of the Commission's rules, 47 C.F.R. § 1.103, the grant is effective upon release of this Public Notice. Petitions for reconsideration under section 1.106 or applications for review under section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of this Public Notice.

For further information, please contact Dennis Johnson at (202) 418-0809, Competition Policy Division, Wireline Competition Bureau.

⁶ The Commission considers national security, law enforcement, foreign policy, and trade policy concerns when analyzing a transfer of control or assignment application in which foreign ownership is an issue. *See Amendment of the Commission's Regulatory Policies to Allow Non-U.S. Licensed Satellites Providing Domestic and International Service in the United States*, Report and Order, 12 FCC Rcd 24094, 24170-72, paras. 178-82 (1997); *Rules and Policies on Foreign Participation in the U.S. Telecommunications Market*, Report and Order and Order on Reconsideration, 12 FCC Rcd 23891, 23919-21, paras. 61-66 (1997) (*Foreign Participation Order*), Order on Reconsideration, 15 FCC Rcd 18158 (2000). In assessing the public interest, the Commission considers the record and accords the appropriate level of deference to Executive Branch expertise on national security and law enforcement issues. *See Foreign Participation Order*, 12 FCC Rcd at 23919-21, paras. 61-66.