

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

DA 96-1563

In the Matter of)
)
CALPAGE)
Assignor,)
)
and)
)
PAC-WEST TELECOMM, INC.)
Assignee,)
)
Application for authority,) File No. I-T-C-96-371(AL)
pursuant to Section 214 of)
the Communications Act of)
1934, as amended, to assign)
Section 214 authorization.)

MEMORANDUM OPINION, ORDER
AND AUTHORIZATION

Adopted: September 13, 1996 Released: September 20, 1996

By the Chief, Telecommunications Division:

1. CALPAGE (formerly known as Pac-West Telecomm, Inc.) and a new corporation, Pac-West Telecomm, Inc. (Pac-West), pursuant to Section 214 of the Communications Act of 1934, as amended, submitted the above-captioned application requesting authority to assign CALPAGE's Section 214 authorization to Pac-West. The application was placed on public notice on July 15, 1996. No comments were received.

2. CALPAGE, a California corporation, is a certified international communications carrier, which provides switched resale services between the United States and various overseas points.¹ Pac-West, a new California corporation, is a wholly-owned subsidiary of CALPAGE. Pac-West will become a common carrier upon grant of the instant application.

3. The proposed transfer is being undertaken in order to permit CALPAGE to transfer its one-way paging operations to another corporation, Pro-Net, Inc., through a tax-free merger, without materially affecting the continued operation of CALPAGE's non-paging telecommunications business. The applicants state that the transfer of CALPAGE's 214 authorization will take place first. They further state that applications for the transfer of the radio licenses are pending and that transfer is expected to take place after the one sought in the instant application.

¹ File No. I-T-C-92-160.

4. Upon consideration of the application and in view of the foregoing, we conclude that consent to assignment of CALPAGE's Section 214 authorizations to Pac-West will serve the public interest, convenience and necessity.

5. Accordingly, IT IS ORDERED that the application of CALPAGE and Pac-West, File No. I-T-C-96-371(AL) IS GRANTED, and we consent to the assignment from CALPAGE to Pac-West of CALPAGE's Section 214 authorization.

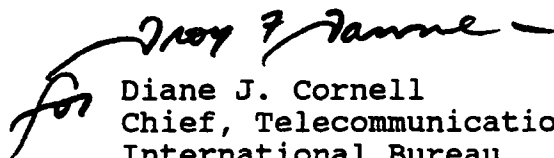
6. IT IS FURTHER ORDERED that all terms and conditions of any Commission orders granting authority to CALPAGE to provide common carrier services are now applicable to Pac-West.

7. IT IS FURTHER ORDERED, pursuant to Section 203 of the Communications Act, 47 U.S.C. §203, and Part 61 of the Commission's Rules, 47 C.F.R. Part 61, that Pac-West must continue to maintain tariffs for the services authorized in this Order.

8. IT IS FURTHER ORDERED that the applicant shall file the annual reports of overseas telecommunications traffic required by Section 43.61 of the Commission's Rules, 47 C.F.R. §43.61.

9. This Order is issued under Section 0.261 of the Commission's Rules and is effective upon adoption. Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's Rules may be filed within 30 days of the date of public notice of this Order (see Section 1.4(b)(2)).

FEDERAL COMMUNICATIONS COMMISSION

A handwritten signature in black ink, appearing to read "Diane J. Cornell", is written over the typed name and title. To the left of the signature, the word "for" is written in a cursive script.

Diane J. Cornell
Chief, Telecommunications Division
International Bureau