

Mikelle Morra

From: David Krech
Sent: Thursday, January 04, 2007 2:46 PM
To: Mikelle Morra
Cc: Susan OConnell; Sumita Mukhoty; George Li; Joann Ekblad
Subject: Remove from streamlining

Mikelle,

Please include the following applications on tomorrow's PN as being removed from streamlining:

ITC-ASG-20061201-00542;
ITC-ASG-20061201-00543;
ITC-ASG-20061130-00534

The parties have not reached a final Agreement yet on the transaction.

Thanks.

*** Non-Public: For Internal Use Only ***

Mikelle Morra

From: Mikelle Morra
Sent: Friday, January 05, 2007 12:49 PM
To: 'mconway@kellydrye.com'; 'msharpless@firstcomonline.com'
Cc: George Li; David Krech; Susan OConnell; Joann Ekblad; Mikelle Morra; Janese Parker
Subject: FCC Section 214 Removed from Streamlined
Attachments: DOC-269337A1.pdf

First Communications, LLC
ITC-ASG-20061130-00534

First Communications, LLC
ITC-ASG-20061201-00542

First Communications, LLC
ITC-ASG-20061201-00543

Pursuant to Section 63.12(c)(3) of the Commission's Rules, we have removed the above applications from streamlined processing.

The Public Notice Report No. TEL-01104S (released January 5, 2007), is attached. If you have any questions, please email: Mikelle.Morra@fcc.gov, JoAnn.Ekblad@fcc.gov, Susan.OConnell@fcc.gov, David.Krech@fcc.gov, and George.Li@fcc.gov or fax to 202-418-2824.

Thank you,

Mikelle Morra
Federal Communications Commission
International Bureau/ Policy Division
202-418-7151

*** Non-Public: For Internal Use Only ***

1/5/2007

Mikelle Morra

From: Sumita Mukhoty
Sent: Monday, January 15, 2007 10:40 AM
To: Mikelle Morra
Cc: David Krech; Sumita Mukhoty
Subject: Fw: ITC-ASG-20061201-00542; ITC-ASG-20061201-00543; ITC-ASG-20061130-00534

Mikelle - Please upload this to IBFS. Thanks. David - We can proceed with the grant now, right? Sumita

Sent from my BlackBerry Wireless Handheld

----- Original Message -----
From: Conway, Melissa S. <MConway@KelleyDrye.com>
To: Sumita Mukhoty
Cc: David Krech; Susan OConnell
Sent: Mon Jan 15 09:46:27 2007
Subject: Re: ITC-ASG-20061201-00542; ITC-ASG-20061201-00543; ITC-ASG-20061130-00534

The Asset Purchase Agreement was executed on Friday January 12, 2007.
The terms of the Agreement are the same as when we filed the FCC application.

Thanks and apologies for the delay.

Melissa

Melissa Smith Conway
Kelley Drye & Warren LLP
3050 K Street NW, Suite 400
Washington, DC 20007
tel. 202.342.8552
fax 202.342.8451

-----Original Message-----
From: Sumita Mukhoty [mailto:Sumita.Mukhoty@fcc.gov]
Sent: Thursday, January 04, 2007 2:56 PM
To: Conway, Melissa S.
Cc: David Krech; Susan OConnell
Subject: Re: Follow up....

Thanks Melissa. In this situation we'll take it off streamlining. Once the parties have entered into their final agreement, let us know whether the terms remain the same as in the application. If they are the same we can then grant. If there are any changes, the application will need to be amended accordingly.
Thanks again. Sumita

Sent from my BlackBerry Wireless Handheld

----- Original Message -----
From: Conway, Melissa S. <MConway@KelleyDrye.com>
To: Sumita Mukhoty
Cc: David Krech
Sent: Thu Jan 04 14:32:35 2007
Subject: Follow up....

Regarding the Agreement, if the date of the Agreement slips to Monday the 8th, is that a problem? I believe the automatic grant of 14 days after PN is this Friday the 5th -- please advise.... Thanks

Melissa Smith Conway
Kelley Drye & Warren LLP
3050 K Street NW, Suite 400
Washington, DC 20007
tel. 202.342.8552
fax 202.342.8451

-----Original Message-----
From: Sumita Mukhoty [mailto:Sumita.Mukhoty@fcc.gov]
Sent: Thursday, January 04, 2007 11:57 AM
To: Conway, Melissa S.
Cc: David Krech
Subject: Re: ITC-ASG-20061201-00542; ITC-ASG-20061201-00543;
ITC-ASG-20061130-00534

Thanks Melissa. Sumita

Sent from my BlackBerry Wireless Handheld

----- Original Message -----
From: Conway, Melissa S. <MConway@KelleyDrye.com>
To: Sumita Mukhoty
Sent: Thu Jan 04 11:46:41 2007
Subject: RE: ITC-ASG-20061201-00542; ITC-ASG-20061201-00543;
ITC-ASG-20061130-00534

Sumita -- re the First/NAC/Acceris transfer application.

1. The Agreement was not executed on Dec. 28th after all -- they plan to do it this Friday the 5th.
2. Yes, Choicetel is an LLC now. They never notified the FCC.

Melissa Smith Conway
Kelley Drye & Warren LLP
3050 K Street NW, Suite 400
Washington, DC 20007
tel. 202.342.8552
fax 202.342.8451

Mikelle Morra

From: Mikelle Morra
Sent: Thursday, January 18, 2007 12:45 PM
To: Mikelle Morra; 'mconway@kelleydrye.com'; 'msharpless@firstcomonline.com'
Cc: George Li; David Krech; Susan OConnell; Joann Ekblad; Janese Parker
Subject: FCC Section 214 Granted
Attachments: DA-07-104A1[1].pdf

The below listed applications have been granted by Public Notice released January 18, 2007; Report No. TEL-01107, DA 07-104 (attached).

From: Mikelle Morra
Sent: Friday, January 05, 2007 12:49 PM
To: 'mconway@kelleydrye.com'; 'msharpless@firstcomonline.com'
Cc: George Li; David Krech; Susan OConnell; Joann Ekblad; Mikelle Morra; Janese Parker
Subject: FCC Section 214 Removed from Streamlined

First Communications, LLC
ITC-ASG-20061130-00534

First Communications, LLC
ITC-ASG-20061201-00542

First Communications, LLC
ITC-ASG-20061201-00543

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Thank you,

Mikelle Morra
Federal Communications Commission
International Bureau/ Policy Division
202-418-7151

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1/18/2007