



## Federal Communications Commission

The FCC Acknowledges Receipt of Comments From ...  
**Capital Telecommunications, Starvox Communications, bComm, Inc.**  
...and Thank You for Your Comments

Your Confirmation Number is: '2008319662938'

Date Received: Mar 19 2008

Docket: 08-28

Number of Files Transmitted: 1

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updated 12/11/03

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

In the Matter of

CAPITAL TELECOMMUNICATIONS, INC. AND

)  
)  
) WC Docket No. 08-28

STARVOX COMMUNICATIONS, INC.

)  
)  
) ITC-ASG-20080215-00060

ASSIGNORS,

)  
) ITC-ASG-20080215-00083

BCOMM, INC.

)

ASSIGNEE,

)

Application for Consent to Assign

Assets From Capital Telecommunications, Inc.

And Starvox Communications, Inc., Companies

Holding International Authorizations and

Blanket Domestic Authorizations Pursuant

to Section 214 of the Communications Act

of 1934, as Amended, to bComm, Inc.

)

**REQUEST TO WITHDRAW APPLICATIONS**

On February 15, 2008, Starvox Communications, Inc. (“Starvox”), its wholly-

owned subsidiary, Capital Telecommunications, Inc. (“CTI”), and bComm, Inc.

(“bComm”, and together with CTI and Starvox, “Applicants”) filed the above-referenced applications to assign substantially all of the assets, including customers, from CTI and


Starvox to bComm (the “Applications”). The Applicants hereby notify the Commission

that the transfer of assets transaction will not be consummated as bComm has decided to terminate the Foreclosure Sale and Purchase Agreement dated February 12, 2008, by and

among bComm and DKR Soundshore Oasis Holding Fund, Ltd. described in the Applications. Thus, the Applicants respectfully request to withdraw their Applications.

Respectfully submitted,

bComm, Inc.

By:   
Warren Hesselinger  
Chief Executive Officer  
bComm, Inc.  
3324 Las Huertas Road  
Lafayette, California 94549  
Tel: (661) 331-5997

Capital Telecommunications, Inc.

By: \_\_\_\_\_  
Tom Rowley  
Chief Executive Officer  
Capital Telecommunications, Inc.  
2728 Orchard Parkway  
San Jose, California 95134  
Tel: (408) 625-2700

Starvox Communications, Inc.

By: \_\_\_\_\_  
Tom Rowley  
Chief Executive Officer  
Starvox Communications, Inc.  
2728 Orchard Parkway  
San Jose, California 95134  
Tel: (408) 625-2700

Date: March 19, 2008

among bComm and DKR Soundshore Oasis Holding Fund, Ltd. described in the Applications. Thus, the Applicants respectfully request to withdraw their Applications.

Respectfully submitted,

bComm, Inc.

By: \_\_\_\_\_  
Warren Heffelfinger  
Chief Executive Officer  
bComm, Inc.  
3324 Las Huertas Road  
Lafayette, California 94549  
Tel: (661) 331-5997

Capital Telecommunications, Inc.

By: Tom Rowley  
Tom Rowley  
Chief Executive Officer  
Capital Telecommunications, Inc.  
2728 Orchard Parkway  
San Jose, California 95134  
Tel: (408) 625-2700

Starvox Communications, Inc.

By: Tom Rowley  
Tom Rowley  
Chief Executive Officer  
Starvox Communications, Inc.  
2728 Orchard Parkway  
San Jose, California 95134  
Tel: (408) 625-2700

Date: March 19, 2008



**CERTIFICATE OF SERVICE**

I, Melissa Conway, hereby certify that on this 19<sup>th</sup> day of March 2008, I served a true and correct copy of the foregoing Request to Withdraw Applications on the following by electronic delivery:

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, D.C. 20554  
\*Via ECFS

Jim Bird  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
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David Krech  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
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Paul Hudson  
Davis Wright Tremaine LLP  
1919 Pennsylvania Avenue NW  
Suite 200  
Washington, DC 20006  
PaulHudson@dwrt.com

  
Melissa Conway

ITC-ASG-20080215-00083

bComm, Inc.

Assignment

Current Licensee: Capital Telecommunications, Inc.

From: StarVox Communications, Inc.

To: bComm, Inc.

Application for consent to assign the international section 214 authorization, ITC-214-19920520-00115 (Old File No. ITC-92-169), held by Capital Telecommunications, Inc. (CTI), a wholly-owned subsidiary of StarVox Communications, Inc. (StarVox), to bComm, Inc. (bComm). Pursuant to a Foreclosure Sale and Purchase Agreement dated February 12, 2008, and executed by bComm, and DKR Soundshore Oasis Holding Fund, Ltd, as Agent for itself and other secured creditors under certain Loan Agreements, bComm will purchase substantially all of the assets of StarVox and CTI pledged as security for debt obligations currently in default, including the international section 214 authorization held by CTI. bComm is wholly-owned by Warren Heffelfinger, a U.S. citizen.

**Mikelle Morra**

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**From:** David Krech  
**Sent:** Thursday, February 28, 2008 1:59 PM  
**To:** Mikelle Morra  
**Cc:** Sumtita Mukhoty; Susan OConnell; Joann Ekblad; George Li  
**Subject:** transactions

**Attachments:** 2008.00083.ASG CTI - bComm.feb 28 2008.doc; 2008.00060.ASG StarVox - bComm.feb 28 2008.doc; 2008.00062.TC PLNl - SK Telecom Holdings.feb 28 2008.doc

Here are the transactions for tomorrow's AFF PN.

Also, please don't forget that Calence (X00046) should go on this week's PN now that we have the FRN.

Thanks.



2008.00083.ASG 2008.00060.ASG 2008.00062.TC  
CTI - bComm.feb...StarVox - bComm... PLNl - SK Teleco...

**Mikelle Morra**

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**From:** David Krech  
**Sent:** Thursday, March 13, 2008 2:30 PM  
**To:** Mikelle Morra  
**Cc:** Susan OConnell; Sumita Mukhoty; George Li; Joann Ekblad  
**Subject:** 2008.00011.TC USCarrier Telecom LLC - AFS.march 13 2008

**Attachments:** 2008.00011.TC USCarrier Telecom LLC - AFS.march 13 2008.doc

This is ready for tomorrow's AFF PN. It will be the only transaction this week.

Also, please do not forget to include an informative(s) removing the two **bComm applications** (x 00060 and x00083) from streamlining.

Thanks.



2008.00011.TC  
USCarrier Telecom...



**Mikelle Morra**

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**From:** David Krech  
**Sent:** Wednesday, March 12, 2008 9:41 AM  
**To:** Dennis Johnson; Jodie May  
**Cc:** Sumita Mukhoty; Susan OConnell; George Li; Mikelle Morra  
**Subject:** RE: MeTel Comments in Docket 08-28 requesting removal from streamlined processing

Thanks. We will remove the applications from streamlining.

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**From:** Dennis Johnson  
**Sent:** Wednesday, March 12, 2008 7:58 AM  
**To:** Jodie May; David Krech  
**Cc:** Sumita Mukhoty; Susan OConnell; George Li  
**Subject:** RE: MeTel Comments in Docket 08-28 requesting removal from streamlined processing

I recommend removing it from streamlined processing. WCB will keep this application on streamlined processing until the the reply comment date next week, but unless the parties are able to resolve the issues raised in the comment before then, we will plan to remove it from streamlined processing at that time. Notably, because there is confusion as to what assets are involved in this transaction, it is quite possible that it may have to be amended or withdrawn.

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**From:** Jodie May  
**Sent:** Tue 3/11/2008 1:17 PM  
**To:** David Krech  
**Cc:** Sumita Mukhoty; Susan OConnell; George Li; Dennis Johnson  
**Subject:** RE: MeTel Comments in Docket 08-28 requesting removal from streamlined processing

Copying Dennis. He's talked to Melissa and can respond. Thanks.

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**From:** David Krech  
**Sent:** Tuesday, March 11, 2008 1:15 PM  
**To:** Jodie May  
**Cc:** Sumita Mukhoty; Susan OConnell; George Li  
**Subject:** FW: MeTel Comments in Docket 08-28 requesting removal from streamlined processing

Does WCB have any thoughts on how to handle this?

The IB applications went on streamlined PN on Feb. 29, and will auto grant this Friday unless we remove them from streamlining.

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**From:** Hudson, Paul [mailto:PaulHudson@dwt.com]  
**Sent:** Monday, March 10, 2008 11:09 PM  
**To:** tracey.wilsonparker@fcc.gov; Dennis Johnson; David Krech; Jim Bird  
**Cc:** fcc@bcpweb.com; Conway, Melissa S.; Mutschelknaus, Brad; warren@bomm.com; Chris McKee  
**Subject:** MeTel Comments in Docket 08-28 requesting removal from streamlined processing

I have attached the comments of MeTel filed this evening on ECFS in Docket 08-28 requesting that the proposed application at issue be removed from streamlined processing.

**Paul B. Hudson** | Davis Wright Tremaine LLP  
1919 Pennsylvania Avenue NW, Suite 200 | Washington, DC 20006

3/13/2008

**Mikelle Morra**

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**From:** Mikelle Morra  
**Sent:** Friday, March 14, 2008 3:43 PM  
**To:** 'Conway, Melissa S.'; 'cmckee@starvox.com'  
**Cc:** George Li; David Krech; Susan OConnell; Joann Ekblad; James Ball; Mikelle Morra; Dennis Johnson; Jodie May  
**Subject:** FCC Section 214 Removed from Streamlined  
**Attachments:** TEL01246S.pdf

bComm, Inc.  
ITC-ASG-20080215-00060

bComm, Inc.  
ITC-ASG-20080215-00083

The above referenced applications were placed on Public Notice on February 29, 2008 for streamlined processing. Pursuant to Section 63.12(c)(3) of the Commission's Rules, we have removed the applications from streamlined processing.

The Public Notice Report No. TEL-01246S (released March 14, 2008), is attached. If you have any questions, please email: [Mikelle.Morra@fcc.gov](mailto:Mikelle.Morra@fcc.gov), [JoAnn.Ekblad@fcc.gov](mailto:JoAnn.Ekblad@fcc.gov), [Susan.OConnell@fcc.gov](mailto:Susan.OConnell@fcc.gov), [David.Krech@fcc.gov](mailto:David.Krech@fcc.gov), and [George.Li@fcc.gov](mailto:George.Li@fcc.gov) or fax to 202-418-2824.

Thank you.

Mikelle Morra  
International Bureau  
Policy Division  
202-418-7151

3/14/2008

**Mikelle Morra**

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**From:** David Krech  
**Sent:** Thursday, March 27, 2008 4:03 PM  
**To:** Mikelle Morra  
**Cc:** George Li; Joann Ekblad  
**Subject:** FW: Withdrawal of bComm/Starvox/CTI applications  
**Attachments:** bCommWithdrawConf.pdf

Have we put these withdraws on PN yet?

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**From:** Conway, Melissa S. [mailto:MConway@KelleyDye.com]  
**Sent:** Wednesday, March 19, 2008 2:24 PM  
**To:** Dennis Johnson; Tracey Wilson-Parker; David Krech; Jim Bird; fcc@bcpiweb.com; cmckee@starvox.com; paulhudson@dwt.com  
**Cc:** Mutschelknaus, Brad  
**Subject:** Withdrawal of bComm/Starvox/CTI applications

Please see attached filing made today via ECFS.

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

<<bCommWithdrawConf.pdf>>

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