

George Li

From: Sumita Mukhoty
Sent: Tuesday, September 30, 2008 3:30 PM
To: 'Paula Schneider'; Janese Parker
Cc: George Li; David Krech; Pat Crocker; JoAnn Sutton
Subject: RE: ITC-ASG-20080925-00436 (Groveline, LLC - BCN Telecom, Inc)

Paula - Thanks for forwarding the attachments that you had filed with the application. This is indeed baffling because Janese and I checked IBFS this morning and the system did not show any attachments to the application. We'll check into it. Thanks again for sending this on so promptly. Sumita

From: Paula Schneider [mailto:paula@crockerlawfirm.com]
Sent: Tuesday, September 30, 2008 2:37 PM
To: Janese Parker
Cc: George Li; David Krech; Sumita Mukhoty; Pat Crocker
Subject: ITC-ASG-20080925-00436 (Groveline, LLC - BCN Telecom, Inc)

Attached please find the Attachments which were submitted with the IBFS electronic filing.

Attachment 1 – includes responses to Questions 10, 13, and 20
Attachment 2 – includes the Domestic 214 Application filed with the Wireline Competition Bureau.

Also attached please find the Attachment Confirmations from the IBFS site which indicates, "Your attachment has been received and is now being stored."

Please contact us if you require any additional information.

Thank you for your assistance.

Best regards,

Paula A. Schneider
Legal Assistant to Patrick D. Crocker
Crocker & Crocker, P.C.
The Kalamazoo Building
107 West Michigan Avenue, 4th Floor
Kalamazoo, MI 49007
Telephone: (269) 381-8893 Ext. 227
Facsimile: (269) 381-4855
E-mail: paula@crockerlawfirm.com

From: Sumita Mukhoty [mailto:Sumita.Mukhoty@fcc.gov]
Sent: Tuesday, September 30, 2008 11:33 AM
To: Pat Crocker
Cc: Janese Parker; George Li
Subject: ITC-ASG-20080925-00436 (Groveline, LLC - BCN Telecom, Inc)

Hi Pat – I wanted to let you know that IBFS does not show any attachment to the application. It would be great if you can send/resend it via e-mail to Janese Parker and cc George Li, David Krech, and me, at your earliest. Thank you. Sumita

10/1/2008

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To: Janeese Parker
Cc: George Li; David Krech; Sumita Mukhoty; Pat Crocker
Subject: ITC-ASG-20080925-00436 (Groveline, LLC - BCN Telecom, Inc)
Attachments: FCC ATTACHMENT 1.pdf; FCC ATTACHMENT 2 DOMESTIC TA 214 APP.pdf; 132822.PDF

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10/1/2008



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 08-2212
Released: October 1, 2008

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE ACQUISITION OF CERTAIN
ASSETS OF ELITEVIEW, LLC D/B/A GROVELINE BY BCN-TELECOM, INC.
STREAMLINED PLEADING CYCLE ESTABLISHED**

WC Docket No. 08-203

Comments Due: October 15, 2008
Reply Comments Due: October 22, 2008

On September 19, 2008, BCN Telecom, Inc. (BCN) and EliteView, LLC d/b/a Groveline (EliteView) (collectively, Applicants) filed an application pursuant to section 63.03 of the Commission's rules requesting approval for the transfer of certain assets of EliteView to BCN.¹ EliteView, a Massachusetts corporation, is authorized to provide interstate and intrastate telecommunications service in 24 states² and resold local exchange service in nine states.³ BCN, a privately-owned holding company organized under New Jersey law, is an authorized reseller of intrastate interexchange telecommunications services throughout the United States, with the exception of Alaska, and has resold local exchange authority in 25 states and the District of Columbia.⁴ The sole owner of BCN is Telecom Acquisition Company, LLC, a New Jersey limited liability corporation.⁵ Pursuant to the terms of the proposed transaction, BCN will acquire the local exchange and interstate, interexchange customer base of EliteView, and EliteView will retain its telecommunications authorizations in order to continue to provide services other than the business being acquired by BCN. Applicants assert that the proposed transaction

¹ 47 C.F.R. § 63.03; *see* 47 U.S.C. § 214. Applicants are also filing an application 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 September 30, 2008.

² California, Colorado, Florida, Iowa, Idaho, Illinois, Indiana, Kentucky, Massachusetts, Maine, Minnesota, Missouri, North Carolina, New Jersey, New York, New Hampshire, Michigan, Ohio, Oregon, Pennsylvania, Rhode Island, Texas, Washington, and Wisconsin.

³ California, Maine, New Jersey, New York, New Hampshire, Oregon, Rhode Island, Washington, and Wisconsin.

⁴ Alabama, California, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, Washington, and West Virginia.

⁵ The following individuals, both U.S. citizens, currently hold a ten percent or greater direct or indirect interest in Telecom Acquisition Company, LLC: Richard Boudria and William P. Mulcahy. No other person or entity owns, directly or indirectly ten percent or more of the equity of BCN.

is entitled to presumptive streamlined treatment under section 63.03(b)(2)(i) of the Commission's rules and that a grant of the application will serve the public interest, convenience, and necessity.⁶

Application Filed for the Acquisition of Certain Assets of EliteView, LLC d/b/a
Groveline by BCN Telecom, Inc., WC Docket No. 08-203 (filed Sept. 19, 2008).

GENERAL INFORMATION

The Wireline Competition Bureau finds, upon initial review, that the transfer of control identified herein is acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer of control 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 C.F.R. § 63.03(a), interested parties may file comments **on or before October 15, 2008**, and reply comments **on or before October 22, 2008**. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.⁷ Comments must be filed electronically using (1) the Commission's Electronic Comment Filing System (ECFS) or (2) the Federal Government's eRulemaking Portal. *See* 47 C.F.R. § 63.03(a) ("All comments on streamlined applications shall be filed electronically . . ."); *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Comments may be filed electronically using the Internet by accessing the ECFS, <http://www.fcc.gov/ecgb/ecfs/>, or the Federal eRulemaking Portal, <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
- For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

In addition, email one copy of each pleading to each of the following:

- 1) The Commission's duplicating contractor, Best Copy and Printing, Inc., fcc@bcpiweb.com; phone: 202 / 488-5300; fax: 202 / 488-5563;
- 2) Tracey Wilson-Parker, Competition Policy Division, Wireline Competition Bureau, tracey.wilson-parker@fcc.gov;
- 3) Alex Johns, Competition Policy Division, Wireline Competition Bureau, alexis.johns@fcc.gov;
- 4) David Krech, International Bureau, Policy Division, International Bureau, david.krech@fcc.gov;

⁶ 47 C.F.R. § 63.03(b)(2)(i).

⁷ Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.

5) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

Filings and comments are available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554; telephone: 202 / 488-5300; fax: 202 / 488-5563; email: fcc@bcpiweb.com; url: www.bcpiweb.com.

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).

For further information, please contact Tracey Wilson-Parker at 202 / 418-1394 or Alexis Johns at 202 / 418-1167.

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