

April 10, 2019

File Number: 67LT-296093

VIA IBFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: **CCI Network Services, LLC**
Notification of Pro Forma Assignment — FCC File No. ITC-214-19980120-00026

Dear Ms. Dortch:

CCI Network Services, LLC (“CCI”), by its undersigned counsel submits this Notice of Pro Forma Assignment, pursuant to Section 63.24(d) of the Federal Communications Commission’s (the “Commission”) rules.¹

CCI holds global, facilities-based and resold international Section 214 authority, File No. ITC-214-19980120-00026 (the “International Section 214 Authorization”). By this pro forma submission, CCI is providing the Commission notice of a transaction (the “Transaction”) whereby Creative Communications, Inc. (“Creative”) assigned its international Section 214 authorization to CCI, a commonly owned and controlled affiliate.²

The Transaction does not result in a change of control of the International 214 Authorization. Creative had two 50% shareholders: David Christenholtz and Chris Nottolli, with Mr. Nottolli serving as President, controlling day-to-day operations, and exercising *de facto* control. Although Mr. Nottolli owns slightly less than 50% of the voting interest of CCI, he currently

¹ 47 C.F.R. § 63.24(d).

² CCI was created in 2003 and began providing services shortly thereafter. As appropriate, CCI requests a waiver of the Commission’s requirement that an international Section 214 authorization holder notify the Commission of a pro forma assignment within 30 days of consummation of such assignment. See 47 C.F.R. § 63.24(f)(2). The failure to file the required notification was an inadvertent, administrative oversight and CCI apologizes for the failure to timely file this notification.

exercises the same *de facto* control as CCI's founder and manager.³ As a result, The Transaction is "an assignment from a corporation to a corporation owned or controlled by the assignor stockholders without substantial change in their interest."⁴ Therefore, the Transaction constitutes a *pro forma* assignment pursuant to Section 63.24 of the Commission's rules.⁵

As required by Section 63.24(f)(2) of the Commission's rules, CCI provides the following information required by Sections 63.18(a) through (d) and (h) of the Commission's rules.⁶

Section 63.18(a): Name, address and telephone number of each applicant:

CCI Network Services, LLC (Assignee)
Creative Communications, Inc. (Assignor)
155 North 400 West Suite 100
Salt Lake City, UT 84103
Tel: 801-994-4100

Section 63.18(b): Organization of each applicant:

Assignor was a Utah corporation. Assignee is a Utah limited liability company.

Section 63.18(c): Correspondence concerning this filing should be sent to:

Brian D. Weimer
Sheppard Mullin Richter & Hampton LLP
2099 Pennsylvania Ave NW, Suite 100
Washington, DC 20006
Tel: 202-747-1930
E-mail: bweimer@sheppardmullin.com

Section 63.18(d): The International Section 214 Authorization provides authority to operate as a facilities-based carrier in accordance with the provisions of Section 63.18(e)(1) of the Commission's rules and also to provide global resale service in accordance with Section 63.18(e)(2) of the Commission's rules.⁷

³ The Commission has long held that control is "not limited to...*de jure* control (ownership of over 50% of the corporation's stock), but can include situations of control 'in fact' (*de facto* control), regardless of the amount of stock owned." See *McCaw Cellular Communications Inc., et al.*, Memorandum Opinion and Order, 4 FCC Rcd 3784 ¶ 33 (1989); see also *Applications of Softbank Corp., Starburst II, In., Sprint Nextel Corporation, and Clearwire Corporation*, Memorandum Opinion and Order, Declaratory Ruling, and Order on Reconsideration, 28 FCC Rcd 9642, 9702 ¶¶ 144-149 (discussing Sprint's failure to gain *de facto* control over Clearwire, making *pro forma* treatment appropriate).

⁴ 47 C.F.R. § 63.24(d).

⁵ *Id.* at § 63.24.

⁶ *Id.* at § 63.18(a)-(d) and (h).

⁷ *Id.* at §§ 63.18(e)(1), (e)(2).

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Section 63.18(h): The name, address, citizenship, and principal business activity of any person having a ten percent or greater interest in CCI is included in Attachment 1.

CCI hereby certifies that the Transaction was pro forma and that, together with all previous pro forma transactions, did not result in a change in the ultimate control of the International Section 214 Authorization.

Kindly contact the undersigned with any questions regarding this notification.

Very truly yours,

/s/ Brian D. Weimer

Brian D. Weimer
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

Attachments

CERTIFICATION

On behalf of CCI Network Services, LLC, I hereby certify that the foregoing Notification was prepared under my direction and control. I further certify that all statements therein are true, complete, and correct to the best of my knowledge, information, and belief.

I certify under penalty of perjury that the foregoing is true and correct. Executed this 10th day of April, 2019.

/s/ Jeff Parson

Jeff Parson

Chief Operating Officer

CCI Network Services, LLC

Attachment 1

Answer to Question 11

Chris Gose (U.S.)

Address: 5990 S 2300 E
Holladay, UT 84121

Principal Business Activity: Individual

Michelle McDonough (U.S.)

Address: 5990 S 2300 E
Holladay, UT 84121

Principal Business Activity: Individual

Chris Nottoli (U.S.)

Address: 155 North 400 West Suite 100
Salt Lake City, UT 84103

Principal Business Activity: Individual

Olivia Nottoli (U.S.)

Address: 155 North 400 West Suite 100
Salt Lake City, UT 84103

Principal Business Activity: Individual

GoWest Enterprises 1, Inc. (U.S.)

Address: 5990 S 2300 E
Holladay, UT 84121

Principal Business Activity: Investment Vehicle

CGN Holdings, LLC (U.S.)

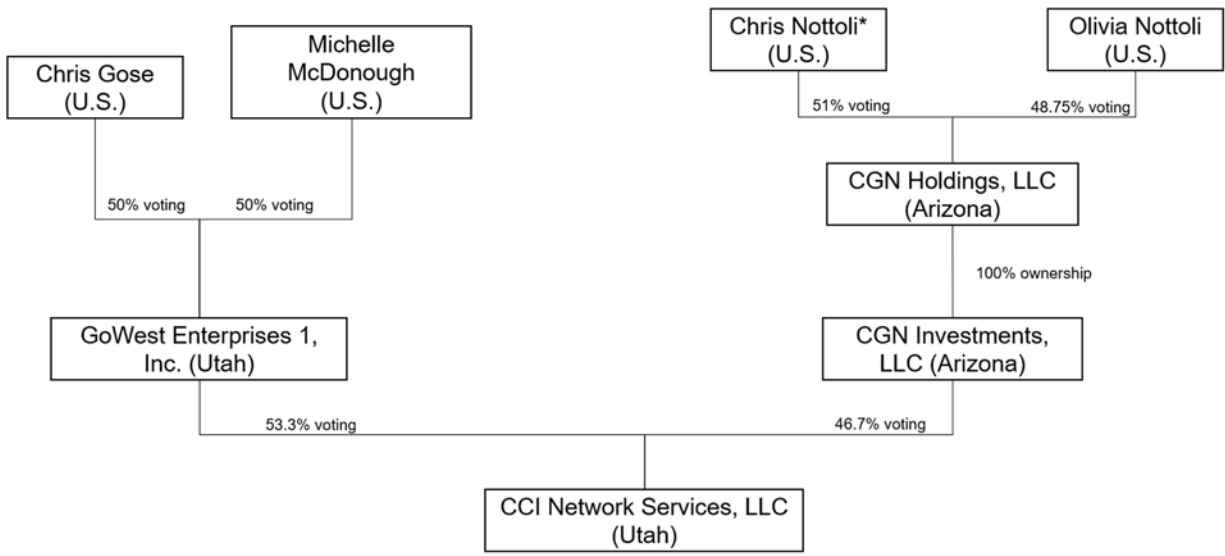
Address: 155 North 400 West Suite 100
Salt Lake City, UT 84103

Principal Business Activity: Holding Company

CGN Investments, LLC (U.S.)

Address: 155 North 400 West Suite 100
Salt Lake City, UT 84103

Principal Business Activity: Investment Vehicle



*As Trustee of the Nottoli Family Trust