

AUG - 6 2007

date: EXPIRE = Oct. 3, 2007
authorized by:

Chief Policy Director

James L. Reed
Signature

ITC-STA-20070730-00299
IB2007001810

Inter-Tel NetSolutions Inc.

Applicant acknowledges the conditions of STA as stated in P. 3 of Attachment 1

Attachment 1
Request for Special Temporary Authority

Attachment 1

Re ITC-TEL-20070608-00221

Question 10 – Justification for Special Temporary Authority

Pursuant to Section 63.25 of the Commission's Rules, 47 C.F.R. § 63.25, Inter-Tel (Delaware), Inc. ("Inter-Tel"), Inter-Tel NetSolutions, Inc. ("NetSolutions") (collectively Inter-Tel and NetSolutions are referred to as the "Company") and Mitel Networks Corporation ("Mitel"), Inter-Tel, NetSolutions and Mitel collectively referred to as "Applicants") respectfully submit this urgent request for special temporary authority ("STA") for a period of sixty (60) days, commencing August 6, 2007, to transfer control of NetSolutions from Inter-Tel to Mitel. NetSolutions is a nondominant carrier authorized pursuant to Section 214 to provide global resold and facilities-based international services. NetSolutions also provides domestic interstate service pursuant to Section 214.

Applicants urgently require an STA to consummate their transfer transaction on time and without further delays resulting from extensive and unwarranted suspension of the processing of Applicants' application due to Commission error. With approval of this request by August 6, 2007, the Applicants hope to complete the financing process and any other conditions to closing, and consummate the transaction as early as August 8, 2007. The facts of this extensive and unwarranted delay are as follows.

On June 8, 2007, Applicants filed a combined international and domestic application for approval under Section 214 of the Communications Act, as amended, to transfer control of NetSolutions from Inter-Tel to Mitel. That application contained all of the ownership, transaction and other information required for this relatively straightforward transaction under the Commission's Rules. On June 11, 2007, Commission staff advised Inter-Tel that the application was subject to "red-light" status based on Commission debt records and would not be processed unless and until the apparent delinquent debts had been resolved.¹ Commission staff specifically stated that 1) Inter-Tel owed the Commission \$99,217 an amount that apparently reflected a short payment of a \$3,336,488.12 fine imposed on Inter-Tel on February 27, 2005, and 2) NetSolutions owed the Commission \$23,721.88 for outstanding 2003 regulatory fees.

Inter-Tel immediately investigated these alleged delinquent debts and determined that the 2003 regulatory fee amount had in fact been inadvertently overlooked. NetSolutions immediately paid the \$23,721.88 to the Commission on June 15, 2007, at which time the Commission lifted the "red-light" status that pertained to this debt. Inter-Tel, however, was unable to confirm the delinquent debt of \$99,217.99 and first advised the Commission on June 12, 2007, that Company records showed that all payments with respect to USAC and FCC obligations in fact had been completely and timely paid.² Over the next approximately 45 days,

¹ Notice of Withholding of Action from Cheryl A. Collins, Revenue and Receivables Operations Group, Federal Communications Commission to John Gardner, Esq., Inter-Tel (Delaware), Inc., dated June 11, 2007.

² Telephone Conversation, Lisanne Cottingham, Inter-Tel Compliance Officer, and Mary

MODE = MEMORY TRANSMISSION START=PLG-06 12:18 END=PLG-06 12:20

FILE NO.=971

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-INTERNATIONAL BUREAU -

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INTERNATIONAL BUREAU

Policy Division

FAX SHEET

Fax Number: (202) 418-2824

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DATE: 8/6/07

FROM: Boards Co.

TELEPHONE NUMBER: (202) 418-1462

TO: Catherine Wang Esq.

Raul Rodriguez, Esq.

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SPECIAL INSTRUCTIONS: 274 For Inter Tel.



Federal Communications Commission
Washington, D. C. 20554

International Bureau

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July 31, 2007

Ref: 2007-30

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Jonathan Frenkel	(202) 282-8478	Sally Shipman	(202) 456-6085
Dominic Pastore	(202) 514-5607		

Re: **Inter-Tel NetSolutions/Inter-Tel/Mitel**

WC Docket No. 07-158, DA 07-3488 (rel. July 31, 2007)

ITC-T/C-20070608-00221

Comments Due: August 14, 2007

Reply Comments Due: August 21, 2007

Dear Sir or Madam:

We have received applications for authority to transfer control of Inter-Tel NetSolutions, Inc. from Inter-Tel (Delaware), Inc. to Mitel Networks Corporation (Mitel). Inter-Tel NetSolutions, Inc. holds domestic and international section 214 authorizations. Mitel is headquartered in Ottawa, Canada. Mitel is 32.6% owned by a citizen of **U.K. and Canada**, and 38% owned by a **Luxembourg** corporation.

A copy of Public Notice DA 07-3488 (rel. July 31, 2007) is attached. Should you have any national security, law enforcement, foreign policy or trade concerns with this proposed transaction, please file your comments by **August 14, 2007**, responses by **August 21, 2007**. Please see the General Information section of the Public Notice for WC Docket No. 07-158, DA 07-3488 (rel. July 31, 2007).

STA Request: (ITC-STA-20070730-00299 and WC Docket 07-158)

Applicants urgently require a Special Temporary Authority (STA) to consummate their transfer transaction by August 6, 2007. Due to an error in Commission's Red Light Display System, these applications have not been processed since June 8, 2007. Since the applicants acknowledge that the grant of STA will not prejudice any action the

Commission may take on the underlying applications, and the STA can be revoked by the Commission upon its own motion without a hearing, we request your consent to grant this STA request by **noon of August 6, 2007**.

For further information please contact, Tracy Wilson-Parker, at (202) 418-1394, Jodie May at (202) 418-0913, or Sumita Mukhoty, at (202) 418-7165.

Sincerely,


George Li, Deputy Chief
Policy Division

Page 1 of 1

George Li

From: Janeese Parker
Sent: Tuesday, July 31, 2007 4:48 PM
To: 'robert.elmen@ic.fbi.gov'; 'paul.kozak@ic.fbi.gov'; 'Amy.Jabloner@usdoj.gov'; 'Dominic.Pastore@usdoj.gov'; 'dklein1@leo.gov'; 'edward.hand@usdoj.gov'; 'hiliary.Morgan@dlsa.mil'; 'jscarlett@ntia.doc.gov'; 'kschagrth@ustr.gov'; 'Louis.brenner@dhs.gov'; 'tina.gabbrelli@dhs.gov'; 'Brian.williams@associates.dhs.gov'; 'joseph.springsteen@usdoj.gov'; 'vbarrish@askalea.net'; 'maydc@state.gov'; 'lettsw@state.gov'; 'Denise.pontacoloni@associates.HQ.DHS.GOV'; 'alane.kochems@associates.HQ.DHS.GOV'; 'sigal.mandelker@usdoj.gov'; 'jonathan.frenkel@dhs.gov'; 'Stephen.heifetz@dhs.gov'; 'jennifer.Underriner@usdoj.gov'; 'Christopher.Steifken@ic.fbi.gov'; 'jpifer@leo.gov'; 'albert.pinto@hq.dhs.gov'; 'sshipman@ostp.eop.gov'; 'Erica.Bomsey@dhs.gov'; 'Alex.Daman@dhs.gov'; 'Kishiyama, Lonnie'
Cc: George Li; Susan O'Connell; David Krech; Joann Ekblad; Mikelle Morra; Veronica Garcia-Ulloa; Imani Ellis; James Ball; Tracey Wilson-Parker; Jodie May; Sumita Mukhoty
Subject: Inter-Tel NetSolutions/Inter-Tel/Mitel (URGENT)
Attachments: Executive Branch 2007-30.doc; Inter-Tel Mitel PN draft.doc; Application.pdf; Application2.pdf

Good Afternoon,

Attached is the Public Notice DA 07-3488, T/C of Inter-Tel to Mitel.

Janeese Parker

Federal Communications Commission

International Bureau/Policy Division

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E-mail: Janeese.Parker@fcc.gov