

Attached is the previously submitted and referenced Transfer of Control Application (submission ID: IB2012002492) containing the information responsive to Questions 12 through 15

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)
)
Application of Orlando Telephone Company, Inc.)
dba Summit Broadband and)
Summit Vista Inc. for Authority Pursuant to)
Section 214 of the Communications Act of 1934,)
as amended, and Sections 63.04 of the)
Commission's Rules to Complete a Transfer of)
Control of Orlando Telephone Company, Inc.,)
an Authorized Domestic Section 214 Carrier, to)
Summit Vista Inc.)

TRANSFER OF CONTROL APPLICATION

Orlando Telephone Company, Inc. dba Summit Broadband (“Orlando Telephone”) and Summit Vista Inc. (“Summit Vista”) (collectively, “Applicants”), pursuant to Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214) and Section 63.04 of the Commission’s Rules, 47 C.F.R. § 63.04, respectfully request Commission approval to effectuate a transfer of control of Orlando Telephone, an authorized Section 214 carrier and non-dominant provider of international resale service, to Summit Vista pursuant to the terms of an Agreement and Plan of Merger. For the reasons set forth herein, the parties respectfully submit that grant of this authority will serve the public interest.

I. Description of Parties

A. Orlando Telephone Company, Inc.

Orlando Telephone Company, a Florida corporation, is a competitive carrier that provides resold local, interstate and international telecommunications services and facilities-based local services to commercial and residential subscribers in Florida pursuant to authority granted by the

Florida Public Service Commission and the FCC.¹ Orlando Telephone also provides cable and Internet services in the State of Florida.

The parent company of Orlando Telephone, owning 100% of its capital stock, is Summit Broadband, Inc., a Florida corporation.

B. Summit Vista Inc.

Summit Vista Inc., a newly formed Florida corporation, is a wholly owned subsidiary of Cable Bahamas Ltd. (“CBL”), a publicly traded corporation (Bahamas International Securities Exchange: CAB) under the laws of the Government of The Bahamas. By itself and through its subsidiaries, CBL provides in the Commonwealth of The Bahamas broadband cable television, internet and telecommunications services. The largest single shareholder of CBL, holding 22.32% of its equity, is the National Insurance Board of The Bahamas. No other individuals or entities hold a 10% or greater direct or indirect equity or voting interest in the company.

Three subsidiaries of CBL hold international operating authorizations issued by the Commission:

Trinity Communications Ltd., a corporation organized under the laws of the State of Delaware (“Trinity”), holds authority, pursuant to Section 214 of the Communications Act, to provide resold and facilities-based international telecommunications services. See FCC File No. ITC-214-20030515-00268. Trinity is a wholly owned subsidiary of Caribbean Crossings Ltd. (see below), itself a wholly owned subsidiary of CBL.

Caribbean Crossings Ltd., which owns and operates the Bahamas Internet Cable System (“BICS”) extending between the United States and The Bahamas. *Caribbean Crossings Ltd.*, DA 00-1349, released June 20, 2000; Public Notice Report No. TEL-00607, DA 02-3357,

¹ Florida Public Service Commission CLEC Certificate No. 4698; FCC File No. ITC-214-19970919-00564, granted November 20, 1997.

released December 5, 2002 (modification of Caribbean Crossings' license to permit the construction of a second fiber optic link and a self-healing fiber ring between The Bahamas and the United States. FCC File No. SCL-MOD-20020925-00094 P

Systems Resource Group Ltd. holds authority, pursuant to Section 214 of the Communications Act, to provide resold and facilities-based international telecommunications services. See FCC File No. ITC-214-20030115-00014.

II. Description of the Transaction

The transaction contemplated by this Application will be accomplished through an Agreement and Plan of Merger by and among CBL, Summit Vista, Inc., Summit Broadband, Inc., and certain of the shareholders of Summit Broadband, Inc. Pursuant to its terms, a subsidiary of Summit Vista will merge into Summit Broadband, Inc., and Orlando Telephone shall continue to operate as a wholly-owned subsidiary of Summit Vista.

III. Information Required by Rule Section 63.04(a)

Pursuant to Sections 63.04(a) of the Commission's rules, 47 C.F.R. § 63.04(a), Applicants submit the following information in support of their request:

A. Name, address and telephone number of each Applicant (Section 63.04(a)(1)):

Section 214 Holder:

Name: Orlando Telephone Company, Inc. dba Summit Broadband
Address: 4558 SW 35th Street, Suite 100
Orlando, Florida 32811-8451
Telephone: 407-996-1163

Transferor:

Name: Summit Broadband
Address: 4558 SW 35th Street, Suite 100
Orlando, Florida 32811-8451
Telephone: 407-996-1163

Transferee:

Name: Summit Vista Inc. c/o Cable Bahamas Ltd.
Address: P.O. Box CB-13050
Robinson Road at Marathon
Nassau, The Bahamas
Telephone: 242-356-8950

B. Jurisdiction of each corporate applicant (Section 63.04(a)(2)):

Section 214 Holder: Orlando Telephone is a corporation organized under the laws of the State of Florida

Transferee: Summit Vista is a corporation organized under the laws of the State of Florida.

C. Correspondence (Section 63.04(a)(3))

Correspondence concerning this Application should be sent to:

Eric Fishman
Phillips Nizer LLP
666 Fifth Avenue
New York, New York 10103-0084
Telephone: 212-841-0537
Email: efishman@phillipsnizer.com

D. Ownership (Section 63.04(a)(4))

Name, address, citizenship and principal business of any person or entity that directly or indirectly owns at least ten percent of the equity of an applicant:

Orlando Telephone Company (Section 214 Holder)

Name: Summit Broadband
Address: 4558 SW 35th Street, Suite 100
Orlando, Florida 32811-6451
Citizenship: United States
Principal Business: Telecommunications Service
Percentage of Equity: 100% interest in Orlando Telephone

Summit Vista Inc. (Transferee)

Name: Cable Bahamas Ltd.
Address: Robinson Road

P.O. Box CB 13050
Nassau, Bahamas
Citizenship: Bahamas
Principal Business: Cable television and internet service
Percentage of Equity: 100% interest in Summit Vista Inc.

Cable Bahamas Ltd. (parent of Summit Vista Inc.)

Name: National Insurance Board
Address: Clifford Darling Complex
P.O. Box N-7508
Jumbey Village
Baillou Hill Road
Nassau, Bahamas
Citizenship: The Bahamas
Principal Business: Government Insurance
Percentage of Equity: 22%

E. Certification (Section 63.04(a)(5))

Applicants certify that no Applicant is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1998. See 21 U.S.C. § 853a; see also 47 C.F.R. §§ 1.2001-1.2003.

F. Description of transaction (Section 63.04(a)(6))

A description of the proposed transaction is set forth in Section II above.

G. Description of Service Area and Service (Section 63.04(a)(7))

Orlando Telephone provides competitive local exchange telecommunications services, exchange access services and resale interexchange services to customers located in the Orlando, Florida area, including portions of Orange County, Lake County, Polk County and Osceola County, Florida. Orlando Telephone also provides resold local, interstate and international telecommunications services to commercial and residential subscribers in Florida.

Through its wholly owned subsidiaries – Caribbean Crossings, Systems Resource Group and Trinity Communications -- Cable Bahamas provides telecommunications service between the United States and other foreign points.

H. Streamlined Treatment Request (Section 63.04(a)(8))

Applicants respectfully submit that this Application is eligible for streamlined processing pursuant to Section 63.03 of the Commission's rules, 47 C.F.R. § 63.03. This Application is eligible for streamlined processing pursuant to Section 63.03 because, immediately following the transaction, Summit Vista, the Transferee, will have a market share in the interstate, interexchange market of substantially less than ten percent (10%), and Orlando Telephone will continue to provide competitive telephone exchange services or exchange access services exclusively in geographic areas served by a dominant local exchange carrier that is not a party to the transaction, and neither Orlando Telephone nor Summit Vista, nor any affiliate of Summit Vista, are dominant with respect to any service.

I. Other authorizations (Section 63.04(a)(9))

Orlando Telephone does not hold any other authorizations or licenses from the Commission. Therefore, no other applications are being filed with the Commission with respect to this transaction, with the exception of related electronic filings with the International Bureau, to which this Application is attached.

J. No Special Consideration (Section 63.04(a)(10))

No party is requesting special consideration because it is facing imminent business failure.

K. No Waiver Requests (Section 63.04(a)(11))

No waiver requests are being sought in conjunction with this transaction.

L. Public Interest (Section 63.04(a)(12))

Applicants submit that the transaction described herein will serve the public interest. Under new ownership, Orlando Telephone will continue to provide high-quality telecommunications services to consumers, while being able to expand its customer base and provide new and better services as a result of the greater financial strength of CBL and its subsidiaries. The transfer of control, therefore, will give Orlando Telephone the ability to become a stronger competitor, to the ultimate benefit of consumers.

Following consummation of the proposed merger, Orlando Telephone, through its ownership by Summit Vista, will continue to offer telecommunications service with no change in the rates or terms and conditions of service. The transaction will be seamless and transparent to customers, and Orlando Telephone will continue to provide high-quality telecommunications services to its customers without interruption. Future changes in the rates, terms or conditions of service to customers, if any, will be undertaken pursuant to the applicable federal and state notice and tariff requirements and pursuant to Orlando Telephone's contractual obligations to its customers.

Through prior rulings, the Commission has previously found that the grant of operating authorizations to other subsidiaries of CBL – Caribbean Crossings; Trinity Communications and Systems Resource Group – would serve the public interest. Grant of the instant application will clearly serve the public interest as well.

M. Request for Special Temporary Authority

By separate filing Applicants jointly request special temporary authority beginning no later than December 15, 2012, and ending 60 days from grant, or until such date as the Commission grants the Companies' underlying transfer of control application, whichever event occurs first.

IV. Conclusion

For the reasons stated above, Applicants respectfully submit that the public interest, convenience and necessity would be served by the Commission's approval of the transfer of control set forth herein. Accordingly, Applicants respectfully request that the Commission grant this Application as expeditiously as possible through its streamlined processing procedures.

Respectfully submitted,



Richard W. Pardy, President
Orlando Telephone Company, Inc. dba
Summit Broadband
4558 SW 35th Street, Suite 100
Orlando, Florida 32811-6451
Phone: 407-996-8900



Anthony Butler, President
Summit Vista Inc.
Robinson Road & Old Trail Road
New Providence, Bahamas
Phone: 242-356-8985



Eric Fishman
Phillips Nizer LLP
666 Fifth Avenue
New York, NY 10103-0084
Phone: 212-841-0537

Date: October 24, 2012

ATTACHMENT 1

Answer to Question 10

Response to Section 63.18(c) and Section 63.18(d) of the Commission's rules

Section 63.18(c) Contract Information for Correspondence

Orlando Telephone Company dba Summit Broadband (Section 214 Holder)

Eric Fishman
Phillips Nizer LLP
666 Fifth Avenue
New York, New York 10103-0084
Telephone: 212-841-0537
Facsimile: 212-262-5152
Email: efishman@phillipsnizer.com

Summit Broadband (Transferor)

Eric Fishman
Phillips Nizer LLP
666 Fifth Avenue
New York, New York 10103-0084
Telephone: 212-841-0537
Facsimile: 212-262-5152
Email: efishman@phillipsnizer.com

Summit Vista, Inc. (Transferee)

Eric Fishman
Phillips Nizer LLP
666 Fifth Avenue
New York, New York 10103-0084
Telephone: 212-841-0537
Facsimile: 212-262-5152
Email: efishman@phillipsnizer.com

Section 63.18(d) Section 214 Authority

Orlando Telephone Company, Inc. dba Summit Broadband has authority under Section 214 of the Communications Act of 1934 to provide interstate service within the United States pursuant to blanket authority under 47 C.F.R. § 64.01, as well as global resale authority granted in IB File No. ITC-214-19970919-00564.

Summit Vista Inc., the proposed transferee, is a newly formed company, organized under the laws of the State of Florida, and holds no FCC authorizations.

Summit Vista Inc., a newly formed Florida corporation, is a wholly owned subsidiary of Cable Bahamas Ltd. ("CBL"), a publicly traded corporation (Bahamas International Securities Exchange: CAB) under the laws of the Government of The Bahamas. By itself and through its subsidiaries, CBL provides in the Commonwealth of The Bahamas broadband cable television, internet and telecommunications services. The largest single shareholder of CBL, holding 22.32% of its equity, is the National Insurance Board of The Bahamas. No other individuals or entities hold a 10% or greater direct or indirect equity or voting interest in the company.

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Caribbean Crossings Ltd., which owns and operates the Bahamas Internet Cable System ("BICS") extending between the United States and The Bahamas. *Caribbean Crossings Ltd.*, DA 00-1349, released June 20, 2000; Public Notice Report No. TEL-00607, DA 02-3357, released December 5, 2002 (modification of Caribbean Crossings' license to permit the construction of a second fiber optic link and a self-healing fiber ring between The Bahamas and the United States. FCC File No. SCL-MOD-20020925-00094 P.

Systems Resource Group Ltd. holds authority, pursuant to Section 214 of the Communications Act, to provide resold and facilities-based international telecommunications services. See FCC File No. ITC-214-20030115-00014.

Answer to Question 11

Summit Vista Inc., a Florida Corporation, is wholly owned by Cable Bahamas Ltd., a publicly traded corporation (Bahamas International Security Exchange: CAB) organized under the laws of the Government of The Bahamas. By itself and through its subsidiaries, Cable Bahamas Ltd. provides broadband cable television, internet, voice and other telecommunications services to its subscribers.

The National Insurance Board of The Bahamas is the largest single shareholder of Cable Bahamas Ltd., owning 22% of the company's equity. No other individuals or entities hold a 10% or greater direct or indirect equity or voting interest in the company.

Answer to Question 12

Anthony Butler, a director of Summit Vista, is also a director of its affiliate, Cable Bahamas Ltd. and its direct and indirect subsidiaries Caribbean Crossings, Ltd., Trinity Communications Ltd. and Systems Resource Group. See Answer to Question 10 supra. Mr. Butler is a citizen of the

United Kingdom. Following the transactions set forth in this application, he will continue to serve as a director of Cable Bahamas and its subsidiaries, as well as of Orlando Telephone Company, Inc.

Philip Keeping, a citizen of Canada, is currently a director of Orlando Telephone Company, Inc. and of Cable Bahamas Ltd., Caribbean Crossings Ltd. and Trinity Communications Ltd.

Answer to Question 13

The transaction contemplated by this application will be accomplished through an Agreement and Plan of Merger by and among Cable Bahamas Ltd. ("CBL"), Summit Vista, Summit Broadband, and certain of the shareholders of Summit Broadband. Pursuant to its terms, a subsidiary of Summit Vista will merge into Summit Broadband, and Summit Broadband shall continue to operate as a wholly-owned subsidiary of Summit Vista Inc.

Following consummation of the proposed merger, Orlando Telephone (combined with Trinity Communications and its FCC licensed affiliates will continue to offer service with no change in the rates or terms and conditions of service. There will be no interruption or disruption of service to customers, and the transfer of control of Orlando Telephone will be seamless to customers. Future changes in the rates, terms or conditions of service to customers, if any, will be undertaken pursuant to applicable federal and state notice and tariff requirements and pursuant to Orlando Telephone's contractual obligations to its customer.

Answer to Question 14 and 16

As noted above, Summit Vista is a direct wholly-owned subsidiary of Cable Bahamas Ltd. The Utilities Regulation and Competition Authority ("URCA") in The Bahamas has issued an omnibus license to Cable Bahamas Ltd. which covers all of its subsidiaries incorporated in the Bahamas and permits the provision of all telecommunications services. CBL, by itself or through its subsidiaries, provides, inter alia, broadband data, cable television, public internet and voice services. Caribbean Crossings Ltd., a Cable Bahamas subsidiary, owns and operates the Bahamas Internet Cable system, a submarine fiber optic network, pursuant to FCC authority.

Section 116 of the Communications Act 2009 of the Government of The Bahamas sets our presumptions of significant market power for Bahamas Telecommunications Company Limited and Cable Bahamas Ltd. In the case of Cable Bahamas Ltd., this presumption was limited to the markets for high speed data and connectivity services and the Pay TV market. Neither the Communications Act 2009 nor URCA have designated Cable Bahamas as dominant in the provisioning of telecommunications service. Rather, pursuant to that Act, Bahamas Telecommunications Company Limited is presumed to possess significant market power for the provisioning of fixed voice and data services and mobile voice and mobile data.

The Commission has acknowledged the foreign ownership of Trinity Communications and has declined to regulate it as a dominant carrier. See Public Notice Report No. TEL-01402, DA No. 09-2631, released December 24, 2009.

Answer to Question 20

Orlando Telephone and Summit Vista respectfully submit that this Application is eligible for streamlined processing pursuant to Section 63.12 of the Commission's rules, 47 C.F.R. § 63.12. This Application is eligible for streamlined processing because (a) Cable Bahamas is not affiliated with a dominant foreign carrier, and (b) none of the scenarios outlined in Section 63.12(c) apply.

The parties have attempted to include as much detail in this Application as possible to support rapid processing within the parameters of the Commission's rules, and are willing to submit any additional information to facilitate processing.