

TC3 Telecom, Inc.

Question 10: In Attachment 1, provide justification of need for special temporary authority requested.

Response:

TC3 Telecom, Inc. (“TC3”) respectfully submits that the public interest would be served by a grant of this Special Temporary Authority (“STA”) pending grant of its application for the transfer of control regarding its Section 63.18(e)(1) global and/or limited global facilities-based authority and its Section 63.18(e)(2) global and/or limited global resale authority, File No. ITC-214-20041209-00492, filed simultaneously herewith.¹ Prompt action granting this STA will allow TC3’s customers uninterrupted access to international long distance service.

TC3 seeks this STA to correct the inadvertent failure to seek and obtain the Commission’s prior approval of a transfer of control. TC3 is a wholly-owned subsidiary of TC3 Leasing Company, Inc. (“TLC”), a Michigan corporation. TLC, in turn, was wholly-owned by the Joseph P. Mattausch Agreement of Trust, dated June 26, 2002 (the “JPM Trust”). The JPM Trust is organized under the laws of the State of Michigan. Joseph P. Mattausch, a citizen of the United States, is the Trustee of the JPM Trust and voted the JPM Trust’s 100% interest in TLC.

The transfer of control occurred on February 14, 2014 upon the consummation of a transaction wherein the JPM Trust, through Mr. Mattausch as Trustee, sold 100% of TLC’s issued and outstanding stock to D&P Communications, Inc. (“D&P”). This failure to seek and obtain the Commission’s prior approval of a transfer of control was recently identified and TC3 seeks to correct this failure by submitting this Request and the associated Application seeking formal approval of the TC3 ownership structure as it exists today.

The ownership information before and after the transaction that transferred control of TC3 to D&P is reflected in the companion transfer of control application and in Attachment 2 to this STA request. Since February 14, 2014, the control of D&P has not changed.

Grant of this request for STA will ensure that TC3 will be able to continue to provide uninterrupted international resold service. D&P, TLC and TC3 (the “Applicants”) have taken steps to correct this deficiency by filing applications for Commission approval of the transfer of control as well as the instant request for STA. Applicants acknowledge that the grant of this STA extension will not prejudice any action the Commission may take on the underlying transfer

¹ TC3 has also filed a STA request to continue its domestic operations. A copy of this STA request is attached hereto as Attachment 1-A.

Response to Question 10 (cont'd)

of control application. Applicants further acknowledge that this STA can be revoked by the Commission upon its own motion without a hearing, and that grant of an STA and the underlying application will not preclude enforcement action.

Good cause exists for grant of the instant request, which would ensure that consumers would not suffer inconvenience or loss of service, or otherwise be affected adversely. Having become aware of the failure to seek and receive prior approval of the Commission for the transfer of control of TC3, TLC and its prior shareholder, the JPM Trust and its Trustee, Mr. Mattausch, and D&P are voluntarily attempting to take all steps necessary to rectify the situation. Accordingly, TC3 submits that the public interest would be serviced by prompt grant of the instant request.

Applicants request that the STA be granted for a period of sixty (60) days to permit the Commission to complete its processing of the pending domestic 214 application in due course.

Question 16: In Attachment 1, respond to paragraphs (d), (e)(3) and (g) of Section 63.18.

Response:

In response to 47 C.F.R. §63.18(d), Applicant has been granted international global or limited global facilities-based service authority and global or limited global resale authority under File No. ITC-214-20041209-00492. *See* Public Notice, Report No. TEL-00874, DA No. 05-134, released January 21, 2005. TC3 seeks authorization for its transfer of control through the sale of its parent company, TC3 Leasing Company, Inc., by its prior shareholder, the JPM Trust, to D&P. TC3's authorization permitted it to resell the international services of authorized U.S. common carriers for the provision of international switched, private line, data, television and business services to all international points, and to resell private lines for the purpose of providing international basic switched services to countries found to offer equivalent resale opportunities. Accordingly, Section 63.18(e)(3) is not applicable. With respect to Section 63.18(g) and TC3's global or limited global facilities-based authority, TC3 does not seek authority to acquire facilities or services not covered by Sections 63.18(e)(1) or Section 63.18(e)(2).

TC3 Telecom, Inc.

Question 15: [Section 63.18(h)] In Attachment 2, provide the name, address, citizenship and principal business of the applicant's ten percent or greater direct and indirect shareholders or other equity holders, and identify any interlocking directorates.

Response:

The following information is provided with respect to shareholders of 10% or greater of the equity interests of TC3 Telecom, Inc. as of February 13, 2014.¹

	% Equity	Citizenship	Principal Business
TC3 Leasing Company, Inc.	100%	Michigan Corp.	Telecommunications

The 10% or greater owner of equity interests in TC3 Leasing Company, Inc. ("TLC") as of February 13, 2014 is as follows:

	% Equity	Citizenship	Principal Business
Joseph P. Mattausch Agreement of Trust, dated June 26, 2002 (the "JPM Trust")	100%	Michigan	Trust

¹ In paragraph h of its original Section 214 International Application, filed on December 3, 2004, TC3 stated that no entity directly or indirectly owned at least 10% equity in TC3. That statement was incorrect and more accurately should have stated that TC3 was 100% owned by the JPM Trust. In 2008, TLC was formed, which was also owned 100% by the JPM Trust. At that time, the JPM Trust transferred the shares of TC3 to TLC. From the dates that JPM Trust was formed in 2002 and TLC was formed in 2008, Joseph P. Mattausch has been the individual directly or indirectly in control and directing the operations of TC3, TLC, and the JPM Trust.

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 ADMITTED TO PRACTICE ONLY IN THE DISTRICT OF COLUMBIA

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August 20, 2015

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

**Re: WC Docket No. _____ (To Be Assigned)
 Request for Special Temporary Authorization**

Dear Ms. Dortch:

Simultaneously with this Request, TC3 Telecom, Inc. (“TC3”), the Joseph P. Mattausch Agreement of Trust, dated June 26, 2002 (the “JPM Trust”) and Mr. Joseph P. Mattausch, Trustee of the JPM Trust (the JPM Trust and Mr. Mattausch collectively referred to as the “Transferor”) and D&P Communications, Inc. (“D&P” or “Transferee”) (TC3, Transferor and Transferee collectively referred to as “Applicants”), by Transferee’s undersigned counsel and with the consent of Transferor’s counsel copied below, and pursuant to Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214 (the “Act”), and Section 63.04 of the Rules of the Federal Communications Commission (“FCC” or the “Commission”), 47 C.F.R. § 63.04, have filed a request for authority to transfer control of the domestic 214 authorization held by TC3 (the “Application”). By this letter, the Applicants request Special Temporary Authorization (“STA”) seeking immediate authorization for TC3 to continue operations under current ownership.¹

¹ As part of the underlying transaction, control of Computer Care Company, Inc. d/b/a TC3Net (“TC3Net”), a sister company to TC3, was also transferred in this same transaction, to D&P. TC3Net provides internet access to end users. As a provider of internet access, TC3Net was not subject to Section 214 at the time of the February 14, 2014 consummation of the underlying transaction. While the provision of internet access is now a telecommunications service, the Applicants note that the Commission has indicated that it will forbear from applying section 214 to transfers of control regarding this service. *See In the Matter of Protecting and Promoting the Open Internet, Report and Order on Remand, Declaratory Ruling, and Order*, GN Docket No. 14-28, FCC 15-24, released March 12, 2015 at ¶511 (“Given our objective to proceed in a tailored manner, we likewise find it in the public interest to forbear from applying section 214 with respect to broadband Internet access service insofar as that provision would require Commission approval of transfers of control involving that service.” (footnote omitted).

As noted in the Application, the Applicants seek approval for the transfer of control of TC3 from to D&P. TC3 is a wholly-owned subsidiary of TC3 Leasing Company, Inc. ("TLC"), a Michigan corporation. TLC, in turn, was wholly-owned by the Joseph P. Mattausch Agreement of Trust, dated June 26, 2002 (the "JPM Trust"). The JPM Trust is organized under the laws of the State of Michigan. Joseph P. Mattausch, a citizen of the United States, is the Trustee of the JPM Trust and voted the JPM Trust's 100% interest in TLC.

The transfer of control occurred on February 14, 2014 upon the consummation of a transaction wherein the JPM Trust, through Mr. Mattausch as Trustee, sold 100% of TLC's issued and outstanding stock to D&P Communications, Inc. ("D&P"). Through an oversight, the Transferee and Transferor failed to seek and receive the Commission's approval of the transfer of control of TC3, an error that was recognized only recently. Accordingly, the Applicants hereby seek to correct this oversight by submitting this Request and the associated Application seeking formal approval of the transfer of control of TC3 from Transferor to Transferee. Since February 14, 2014, the ownership of TC3 has not changed.

Since consummation of the referenced transaction in 2014, TC3, now an indirect wholly-owned subsidiary of D&P, has continued to provide high quality, local exchange, exchange access, internet access and domestic resold long distance services to its current subscribers in a manner that was transparent to them. Grant of this request for STA will ensure that TC3 will continue to provide these domestic telecommunications services on an uninterrupted basis.

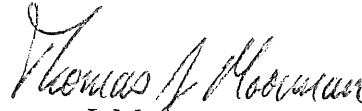
Good cause exists for grant of the instant request, which would ensure that consumers would not suffer inconvenience or loss of service, or otherwise be affected adversely. Having become aware of the failure to seek and obtain prior Commission approval of the transfer of control of TC3, Transferor and Transferee are voluntarily attempting to take all steps necessary to rectify the situation. Accordingly, the Applicants submit that the public interest would be served by prompt grant of the instant request.

Applicants request that the STA be granted for a period of sixty (60) days to permit the Commission to complete its processing of the pending domestic 214 application in due course.

Applicants have taken steps to correct this deficiency by filing applications for Commission approval of the transfer of control as well as the instant request for STA. Applicants acknowledge that the grant of this STA extension will not prejudice any action the Commission may take on the underlying transfer of control application. Applicant further acknowledges that this STA can be revoked by the Commission upon its own motion without a hearing, and that grant of an STA and the underlying application will not preclude enforcement action.

Please contact the undersigned should you have any questions.

Respectfully submitted,



Thomas J. Moorman
Counsel to D&P Communications, Inc.

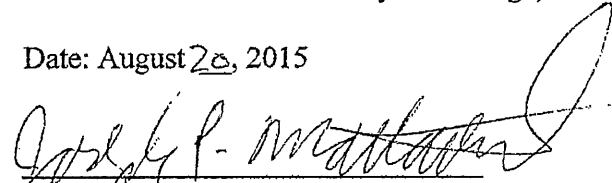
Attachments

- cc: J. May, Competition Policy Division
Wireline Competition Bureau, Federal Communications Commission
(via email)
- D. Johnson, Competition Policy Division
Wireline Competition Bureau, Federal Communications Commission
(via email)
- D. Krech, International Bureau, Federal Communications Commission
(via email)
- Gary L. Field, Counsel to Mr. Joseph P. Mattausch, individually and as Trustee for
the Joseph P. Mattausch Agreement of Trust, dated June 26, 2002 (via email)

DECLARATION

I, Joseph P. Mattausch, Trustee of the Joseph P. Mattausch Agreement of Trust, dated June 26, 2002, do hereby declare under penalties of perjury that I have read the foregoing "Request for Special Temporary Authority," and affirm that the information contained therein regarding ownership of and operations of TC3 Telecom, Inc. prior to February 14, 2014 is true and accurate to the best of my knowledge, information, and belief.

Date: August 20, 2015

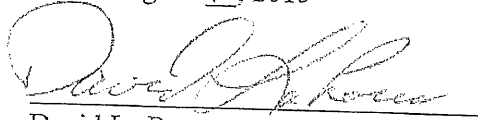


Joe Mattausch

DECLARATION

I, David La Rocca, President of D&P Communications, Inc. (the "Company"), do hereby declare under penalties of perjury that I have read the foregoing "Request for Special Temporary Authority," and affirm that the information contained therein regarding the Company is true and accurate to the best of my knowledge, information, and belief.

Date: August 20, 2015

A handwritten signature in cursive script, appearing to read "David La Rocca", written over a horizontal line.

David La Rocca
President