

# PUBLIC NOTICE



FEDERAL COMMUNICATIONS COMMISSION

445 12th STREET, S.W.

WASHINGTON, D.C. 20554

DA 00-2515

News media information 202/418-0500 Fax-On-Demand 202/418-2830 Internet: <http://www.fcc.gov> <ftp.fcc.gov>

## **CAPROCK TELECOMMUNICATIONS CORP. AND IWL COMMUNICATIONS, INC. D/B/A CAPROCK SERVICES CORP. SEEK FCC CONSENT TO TRANSFER CONTROL TO MCLEODUSA INC.**

### **PLEADING CYCLE ESTABLISHED**

**Release Date: November 6, 2000**

McLeodUSA Inc. ("McLeod"), CapRock Telecommunications Corp. ("CapRock") and IWL Communications, Inc. d/b/a CapRock Services Corp. ("IWL") have filed applications pursuant to section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, requesting Commission approval to transfer control of international and domestic authorizations held by CapRock and IWL to McLeod.<sup>1</sup> CapRock and IWL are wholly-owned subsidiaries of CapRock Communications Corp. ("CCC"), a Texas holding company. The requested transfers of control are part of a merger transaction whereby CCC will become a direct subsidiary of McLeod. The parties have also filed various wireless license transfer applications.<sup>2</sup>

CapRock and IWL are nondominant carriers authorized to provide domestic telecommunications services pursuant to blanket section 214 authority. CapRock is a facilities-based provider of integrated communications services, including local and long distance services, to businesses and carriers primarily in Texas, Louisiana, Arkansas, Oklahoma, New Mexico and

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<sup>1</sup> See McLeodUSA Inc. and CapRock Telecommunications Corp. and IWL Communications, Inc. d/b/a CapRock Services Corp., Joint Application for Authority Pursuant to Section 214 of the Communications Act of 1934, as amended, to Transfer Control of Carriers Authorized to Provide Domestic Telecommunications Services Pursuant to Blanket Section 214 Authority (filed Oct. 30, 2000) (Domestic 214 Application); McLeodUSA Inc. and CapRock Telecommunications Corp. and IWL Communications, Inc. d/b/a CapRock Services Corp., Joint Application for Authority Pursuant to Section 214 of the Communications Act of 1934, as amended, to Transfer Control of Authorized International Carriers (filed Oct. 18, 2000) (International 214 Application).

<sup>2</sup> See Part 90: Wireless Telecommunications Bureau Assignment of Authorization and Transfer of Control Applications Accepted for Filing, Public Notice, WTB Report No. 665, File No. 0000234323 (IWL Communications) (rel. Oct. 11, 2000) and Wireless Telecommunications Bureau Assignment of Authorization and Transfer of Control Applications Accepted for Filing, Public Notice, WTB Report No. 672, File No. 0000237961 (Abacus Signal) (rel. Oct. 18, 2000); Part 101: Application of IWL Communications, Inc., to Transfer Control of 35 Private Land Mobile Radio Call Signs (lead call sign WNQN346) (filed Oct. 5, 2000); Part 25: Satellite Earth Station Applications Accepted for Filing, Public Notice (rel. October 25, 2000) (IWL Communications, Inc., File No. SES-T/C-20001006-01902; IWL Communications, Inc., File No. SES-T/C-20001006-01905; SpaceLink Systems, Inc., File No. SES-T/C-20001006-01906).

Arizona.<sup>3</sup> IWL is authorized to provide long distance services in Louisiana.<sup>4</sup>

McLeod, through its wholly-owned operating subsidiary McLeodUSA Telecommunications Services, Inc. (“MTS”), provides integrated telecommunications services to small- and medium-size businesses and residential customers. MTS offers local services in a 21-state footprint primarily in the Midwest, Rocky Mountain, Pacific Northwest and Southwestern states, and long distance and advanced data services in all states except Alaska and Hawaii.<sup>5</sup>

## SECTION 214 APPLICATIONS

### Part 63 - International Service (47 C.F.R. § 63.18)

The following applications for consent to transfer control of international section 214 authorizations from CapRock and IWL to McLeod have been assigned File No. ITC-T/C-20001018-00639.

<u>Authorized Carrier</u>	<u>Original Authorization</u>
CapRock Services Corp.	ITC-95-237
IWL Communications, Inc. d/b/a CapRock Services Corp.	ITC-94-208

### Part 63 – Domestic Service (47 C.F.R. § 63.01)

The parties have filed an application to transfer control of blanket domestic section 214 authorizations held by CapRock and IWL to McLeod. The application has been assigned file number CCBPol No. 00-2.

## GENERAL INFORMATION

The transfer of control requests listed herein have been found, upon initial review, to be acceptable for filing. The Commission reserves the right to return any application if, upon further examination, it is determined to be defective and not in conformance with the Commission’s rules or policies.

Final action will not be taken on these applications earlier than fifteen days following the date of

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<sup>3</sup> CapRock is authorized to provide local exchange telecommunications services in Arizona, Arkansas, Kansas, Louisiana, Missouri, Oklahoma, Tennessee, and Texas, and long distance services in over 40 states. *See* Letter to Magalie Roman Salas, Secretary, FCC, from Grace R. Chiu and Brett P. Ferenchak, Swidler Berlin Shereff Friedman, LLP, Counsel for Applicants (filed Nov. 2, 2000), at 2.

<sup>4</sup> *Id.*

<sup>5</sup> *Id.* at 1. MTS offers local services in Arizona, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, New Mexico, North Dakota, Ohio, Oregon, South Dakota, Utah, Washington, Wisconsin, and Wyoming.

this notice. Interested parties may file comments on or petitions to deny on or before November 20, 2000. Oppositions to such pleadings may be filed no later than November 27, 2000. All filings concerning any or all of the matters referenced in this Public Notice should refer to DA 00-2515, as well as the specific file numbers of the individual applications or other matters to which the filings pertain.

An original and four copies of all pleadings must be filed with the Commission's Secretary, Magalie Roman Salas, 445 12<sup>th</sup> Street, S.W., Room TW-B204, Washington, D.C. 20554, in accordance with Section 1.51(c) of the Commission's rules, 47 C.F.R. § 1.51(c). In addition, one copy of each pleading must be delivered to each of the following locations: (1) Johanna Mikes, Policy and Program Planning Division, Common Carrier Bureau, 445 12<sup>th</sup> Street, S.W., Room 5-C163, Washington, D.C. 20554; (2) Justin Connor, Telecommunications Division, International Bureau, 445 12<sup>th</sup> Street, S.W., Room 6-A832, Washington, D.C. 20554; and (3) the Commission's duplicating contractor, International Transcription Services, Inc. ("ITS"), 445 12<sup>th</sup> Street, S.W., CY-B402, Washington, D.C. 20554.

Copies of the applications and any subsequently filed documents in this matter may be obtained from International Transcriptions Services, Inc. ("ITS"), 445 12<sup>th</sup> Street, S.W., CY-B402, Washington, D.C. 20554, (202) 314-3070. The applications and documents are available for public inspection and copying during normal reference room hours at the Commission's Office of Public Affairs, Reference Operating Division, 445 12<sup>th</sup> Street, S.W., Room CY-C314, Washington, D.C. 20554.

Pursuant to 47 C.F.R. § 1.1200(a), which permits the Commission to adopt modified or more stringent *ex parte* procedures in particular proceedings if the public interest so requires, we announce that this proceeding will be governed by "permit-but-disclose" *ex parte* procedures that are applicable to non-restricted proceedings under 47 C.F.R. § 1.1206.

For further information, contact: Johanna Mikes, Common Carrier Bureau, at (202) 418-1535 (Domestic 214); or Justin Connor, International Bureau, at (202) 418-1476 (International 214).

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