

Mikelle Morra

From: Mikelle Morra
Sent: Friday, July 11, 2008 2:41 PM
To: 'Rich, J. Steven'
Cc: George Li; David Krech; Susan OConnell; JoAnn Sutton; James Ball; Mikelle Morra; Veronica Garcia-Ulloa; Janese Parker; 'Daman, Alex (DHS)'; 'Pinto, Greg (DHS)'; 'Pifer, Jon (LEO)'; 'Connors, John'; 'Daniels, Douglas'; 'Telecom'; 'Thomas Doyle'; 'Rockoff, Jennifer'; 'Ongman, Joanne'; 'Dupuy, Siobhan'; Matthew Warner; Dennis Johnson; Jodie May
Subject: FCC Section 214 Removed from Streamlined
Attachments: TEL01287S.pdf

Vanco US LLC
ITC-T/C-20080527-00239

Vanco Solutions, Inc.
ITC-T/C-20080527-00241

The above referenced applications were placed on Public Notice on July 7, 2008 for streamlined processing. Since the Public Notice was released, the Commission has been requested by the Executive Branch agencies of the United States that we remove the subject applications from streamlined processing because of foreign ownership issues. Therefore, pursuant to Section 63.12(c)(3) of the Commission's Rules, we have removed these applications from streamlined processing.

Please be advised that your company may not commence operations until the Section 214 authorization is granted. See Section 63.12(d) of the rules, 47 C.F.R. Section 63.12(d). The Executive Branch will contact you or the "Contact" listed on your application directly for further information. You can be assured that your application will be processed expeditiously upon completion of Executive Branch's review. We will notify you by e-mail when your application is granted.

The Public Notice Report No. TEL-01287S (released July 11, 2008), is attached. If you have any questions, please email: Mikelle.Morra@fcc.gov, JoAnn.Ekblad@fcc.gov, Susan.Oconnell@fcc.gov, David.Krech@fcc.gov, and George.Li@fcc.gov or fax to 202-418-2824.

Thank you.

Mikelle

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Federal Communications Commission
International Bureau/ Policy Division
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7/11/2008



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 08-1524
Released: June 27, 2008

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF
VANCO SOLUTIONS, INC. AND VANCO US LLC TO
FLAG TELECOM GROUP SERVICES LIMITED
STREAMLINED PLEADING CYCLE ESTABLISHED**

WC Docket No. 08-79

Comments Due: July 11, 2008
Reply Comments Due: July 18, 2008

On May 28, 2008, Vanco Solutions, Inc. (Vanco Solutions), Vanco US LLC (Vanco US, and together with Vanco Solutions, Vanco), Vanco plc (Vanco plc), and FLAG Telecom Group Services Limited (FLAG and, together with Vanco and Vanco plc, the Applicants) filed an application pursuant to section 63.03 of the Commission's rules to transfer control of Vanco from Vanco plc to FLAG.¹

Vanco Solutions, a Delaware corporation, and Vanco US, a Delaware limited liability company, are indirect subsidiaries of Vanco plc, a holding company incorporated under the laws of England and Wales.² Vanco uses infrastructure from underlying network suppliers to provide data services in 28 states and the District of Columbia.³ Flag, a Bermuda corporation, is wholly-owned by Reliance Globalcom Limited (RGL, together with its subsidiaries, Reliance Globalcom), whose parent company is Reliance Communications Limited (Reliance), a telecommunications provider in India.⁴ Reliance Globalcom (including FLAG) provides international network transport and data services in 19 countries. Applicants state that FLAG does not provide domestic telecommunications service in the United States. Reliance Globalcom Services, Inc. (RGS, formerly Yipes Enterprise Services, Inc.), a wholly-owned subsidiary of

¹ 47 C.F.R. § 63.03; *see* 47 U.S.C. § 214. Applicants are also filing an application for transfer of control associated with authorization for international services. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications. Applicants filed an amendment to their domestic section 214 application on June 26, 2008 (June 26 Amendment).

² On May 27, 2008, Applicants filed a request for special temporary authority (STA) to close the proposed transaction immediately so that FLAG can fund the business and ensure continuity of service to Vanco's customers. Applicants state that Vanco plc is financially insolvent and in administration in the United Kingdom, which is similar to bankruptcy proceedings in the U.S. On May 27, 2008, the Wireline Competition Bureau granted the STA for the domestic authorization for a period of 60 days. *See* Letter from Tara K. Giunta, Counsel for FLAG, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 08-79 (filed May 27, 2008).

³ Applicants state that Vanco Direct USA, LLC, a wholly owned Vanco subsidiary, is not part of the proposed transaction.

FLAG, is authorized to provide competitive local and interexchange telecommunications services in multiple states and the District of Columbia.

Applicants state that the following entities and individuals own 10% or more of the equity or voting interests in FLAG: RGL (100% direct), Bermuda citizenship; Lagerwood Investments Limited (20% indirect through RGL), Cyprus citizenship; Reliance Communications Shareholders Trust (20% indirect through Lagerwood Investments Limited), Cyprus citizenship; Reliance Globalcom BV (78.8% indirect through RGL), Netherlands citizenship ; Reliance Gateway Net Limited (80% indirect through RGL and Reliance Globalcom BV), India citizenship; Reliance Communications Limited (100% indirect through Reliance Gateway Net Limited, Reliance Globalcom BV, and Reliance Communications Shareholders Trust), India citizenship; AAA Communications Private Limited (100% indirect through Reliance Communications Limited), India citizenship; Reliance Innovations Private Limited (100% indirect through AAA Communications Private Limited), India citizenship; Mr. Anil Ambani (100% indirect through Reliance Innovations Private Limited), India citizenship; Mrs. Koklaben Ambani (21.1002% indirect through Reliance Innovations Private Limited and Reliance Communications Limited), India citizenship.⁵ The Applicants state that no other person or entity holds 10% or more of the equity or voting interests in the Reliance entities.

Pursuant to the terms of the proposed transaction, Vanco will be 100% owned by FLAG, which will be 100 percent owned by the Reliance entities. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(i) of the Commission's rules and that a grant of the application will serve the public interest, convenience, and necessity.⁶

Application Filed for the Transfer of Control of Vanco Solutions, Inc. and Vanco US LLC to FLAG Telecom Group Services Limited, WC Docket No. 08-79 (filed May 28 2008).

GENERAL INFORMATION

The Wireline Competition Bureau finds, upon initial review, that the transfer of control identified herein is acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer of control application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 C.F.R. § 63.03(a), interested parties may file comments **on or before July 11, 2008**, and reply comments **on or before July 18, 2008**. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.⁷ Comments must be filed electronically using (1) the Commission's Electronic Comment Filing System (ECFS) or (2) the Federal Government's eRulemaking Portal. *See* 47 C.F.R. § 63.03(a) ("All comments on streamlined applications shall be filed electronically . . ."); *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

⁵ A chart describing the ownership structure of FLAG is attached to the Application as Exhibit B and is further updated in the June 26 Amendment.

⁶ 47 C.F.R. § 63.03(b)(2)(i).

⁷ Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.

- Comments may be filed electronically using the Internet by accessing the ECFS, <http://www.fcc.gov/cgb/ecfs/>, or the Federal eRulemaking Portal, <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
- For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

In addition, email one copy of each pleading to each of the following:

- 1) The Commission's duplicating contractor, Best Copy and Printing, Inc., fcc@bcpiweb.com; phone: 202 / 488-5300; fax: 202 / 488-5563;
- 2) Myrva Charles, Competition Policy Division, Wireline Competition Bureau, myrva.charles@fcc.gov;
- 3) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, dennis.johnson@fcc.gov;
- 4) David Krech, International Bureau, Policy Division, International Bureau, david.krech@fcc.gov;
- 5) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

Filings and comments are available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554; telephone: 202 / 488-5300; fax: 202 / 488-5563; email: fcc@bcpiweb.com; url: www.bcpiweb.com.

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For further information, please contact Tracey Wilson-Parker at 202 / 418-1394 or Dennis Johnson at 202 / 418-0809.

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