

Janeese Parker

From: Janeese Parker
Sent: Monday, February 02, 2009 2:44 PM
To: 'firm@tkcrowe.com'; 'jism@commlawgroup.com'; 'edwinhm@eglacorp.com'
Subject: 214 Application Grants

ITC-214-20080916-00431 EGLA CORP

ITC-214-20070627-00248 Nortel Networks Corporation

ITC-214-20081024-00475 VOIP TEL, L.P.

We have received notification from Team Telecom that their evaluation of your application is complete. We have, therefore, granted the above applications in IBFS. You may begin providing service the day following the grant. These applications will be included on our next Actions Taken Public Notice, which will be published on Thursday, February 12, 2009. You may obtain a copy of the Public Notice via IBFS upon release.

Janeese Parker
Federal Communications Commission
International Bureau/Policy Division
Phone: (202) 418-0707
E-mail: Janeese.Parker@fcc.gov

2/5/2009

JoAnn Sutton

From: Sofield, Richard [Richard.Sofield2@usdoj.gov]
Sent: Friday, January 30, 2009 11:03 AM
To: David Krech; Francis Gutierrez; George Li; Howard Griboff; James Ball; Janeese Parker; JoAnn Sutton; Jodi Cooper; Susan OConnell; Wheaton, Mary (NSD)
Subject: [TT] VoIP Tel Clearance

Team Telecom has no comment on application number **ITC-214-20081024-00475** (VoIP Tel).

If you have any questions, please let me know.

Thank you.

Richard C. Sofield
Director
Foreign Investment Review Staff
National Security Division
United States Department of Justice

W-(202) 514-0945
M-(202) 598-3134
P-(877) 481-4512
F-(202) 353-3364

JoAnn Sutton

From: JoAnn Sutton
Sent: Wednesday, February 11, 2009 3:01 PM
To: 'firm@tkcrowe.com'
Cc: George Li; David Krech; Susan OConnell; Sumita Mukhoty
Subject: FW: 214 Application Grants

Mr. Liu,

Ms. Parker e-mailed you on February 2, 2009 notifying you that VoIP TEL L.P.'s application, ITC-T/C-20081024-00475, has been granted in IBFS. Unfortunately, we have un-granted the application in IBFS because it has not yet been put on Accepted for Filing Public Notice (AFFPN). Your client asked us not to put the application on AFFPN until after Team Telecom completed their evaluation. We plan to include the application on our Streamlined AFFPN on Friday, February 13th, making it eligible for grant on Friday, February 27th.

I apologize for any inconvenience this has caused you.

JoAnn Sutton
Assistant Division Chief
Policy Division, International Bureau
(202) 418-1372
JoAnn.Sutton@fcc.gov

From: Janeese Parker
Sent: Monday, February 02, 2009 2:44 PM
To: 'firm@tkcrowe.com'; 'jism@commlawgroup.com'; 'edwinhm@eglacorp.com'
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Janeese Parker
Federal Communications Commission
International Bureau/Policy Division
Phone: (202) 418-0707
E-mail: Janeese.Parker@fcc.gov

2/11/2009

JoAnn Sutton

From: George Li
Sent: Wednesday, February 11, 2009 11:24 AM
To: David Krech; JoAnn Sutton
Subject: RE: 214 Application Grants

I agree. Thank you both.

From: David Krech
Sent: Wednesday, February 11, 2009 11:19 AM
To: JoAnn Sutton
Cc: George Li
Subject: RE: 214 Application Grants

The STA expired Feb. 7. I do not believe they got a new one because we all thought we granted the application last week, before the STA expired. Under these circumstances I am willing to not have them get a new STA. What do you think George?

From: JoAnn Sutton
Sent: Wednesday, February 11, 2009 11:12 AM
To: David Krech
Subject: RE: 214 Application Grants

Do they need to file a new STA?

From: David Krech
Sent: Wednesday, February 11, 2009 10:50 AM
To: JoAnn Sutton
Subject: RE: 214 Application Grants

Please drop the last phrase ("after which date the transaction can be completed"). They actually consummated this transaction in December 2007, and had an STA.

From: JoAnn Sutton
Sent: Wednesday, February 11, 2009 10:36 AM
To: David Krech
Subject: FW: 214 Application Grants

Here is a DRAFT e-mail to Cheng-yi Liu, Thomas K. Crowe Law Office. The applicant, Mr. Makrojia, doesn't have an e-mail address. Have you confirmed with Sumita that the blurb is done?

Mr. Liu,

Ms. Parker e-mailed you on February 2, 2009 notifying you that VoIP TEL L.P.'s application, ITC-T/C-20081024-00475, has been granted in IBFS. Unfortunately, we have un-granted the application in IBFS because it has not yet been put on Accepted for Filing Public Notice (AFFPN). Your client asked us not to put the application on AFFPN until after Team Telecom completed their evaluation. We plan to put the application on our Streamlined AFFPN on Friday, February 13th, making it eligible for grant on Friday, February 27th, after which date the

2/11/2009



U.S. Department of Justice
National Security Division

Assistant Attorney General

Washington, D.C. 20530

January 30, 2009

By E-File

Ms. Marlene H. Dortch
Federal Communications Commission
445 12th St. SW, Room TW-B204
Washington, DC 20554

Re: **VoIP TEL, L.P.**
WC Docket No. 08-218, DA 08-2546, rel. Nov. 20, 2008
ITC-T/C-20081024-00475

Dear Ms. Dortch:

The Department of Justice ("DOJ"), including the Federal Bureau of Investigation ("FBI"), with the concurrence of the Department of Homeland Security ("DHS") (collectively, the "Agencies"), officially withdraws its request to defer action on the above-referenced application seeking approval of a transfer of control that was consummated on December 15, 2007. Based on the information provided to the Agencies by the Applicants and analysis by the Agencies of potential national security, law enforcement and public safety issues, the Agencies hereby notify the Commission that they have no objection to the application.

Thank you for your consideration.

Sincerely,

/s/ JOANNE P. ONGMAN
Joanne P. Ongman
Attorney
National Security Division
U.S. Department of Justice

cc: David Krech (via email at david.krech@fcc.gov)
Best Copy and Printing, Inc. (via email at fcc@bcpiweb.com)
Jim Bird (via email at jim.bird@fcc.gov)
Alex Johns (via email at alexis.johns@fcc.gov)
George Li (via email at george.li@fcc.gov)
Cheng-yi Liu (firm firm@tkcrowe.com)

ITC-ASG-20081217-00538

Midcontinent Communications

Assignment

Current Licensee: Charter Fiberlink, LLC

From: Charter Fiberlink, LLC

To: Midcontinent Communications

Application for consent to the assignment of certain tangible and intangible assets, related liabilities and customer base from Charter Fiberlink, LLC (Charter Fiberlink) to Midcontinent Communications (Midcontinent). Pursuant to the terms of an Assets Purchase Agreement dated October 7, 2008, Midcontinent will acquire from Charter Fiberlink all of its assets used to provide international service and its customer base in the communities of Bemidji, Cass Lake, International Falls and Ranier, Minnesota. Midcontinent will provide services to its newly acquired customers pursuant to its existing international section 214 authorization, ITC-214-20010606-00327. Charter Fiberlink will continue to provide services to its remaining customers pursuant to its international section 214 authorization, ITC-214-20030127-00071.

Midcontinent Communications Investor, LLC (Midcontinent Investor) and TCI-Midcontinent, LLC each have a 50% ownership interest in Midcontinent. Midcontinent Investor is 100% owned by Midcontinent Media, Inc., which in turn is 95.81% owned by Larry Benson. TCI-Midcontinent is wholly-owned by Comcast Corporation, a public company organized in Pennsylvania in which no individual or entity holds a 10 percent or greater ownership interest.

ITC-T/C-20081024-000475

VoIP TEL, L.P.

Transfer of Control

Current Licensee:

VoIP TEL, L.P.

From:

VoIP TEL, L.P.

To:

VoIP TEL, L.P.

Application for consent to the transfer of control of international section 214 authorization, ITC-214-20060718-00356, held by VoIP TEL, L.P. (VoIP), from two of its shareholders to the remaining two shareholders. Specifically, on December 15, 2007, without prior Commission approval, Ismail Ali sold his 24.75% interest in VoIP to Mubarak Maknoja, an existing shareowner of VoIP. In a separate transaction on the same date, also without prior Commission approval, Amin Hemani sold his 24.75% interest in VoIP to Muhammad Ali, an existing shareowner of VoIP. Upon closing, **Mubarak Maknoja** and **Muhammad Ali** each now **holds** a 49.5% ownership interest in VoIP. The remaining 1% ownership interest is held by VoIP Tech, LLC (Tech), which serves as managing partner of VoIP. **Mubarak Maknoja** and **Muhammad Ali** each **now has** a 50% ownership interest in **Tech**.

ITC-T/C-20081024-000475

VoIP TEL, L.P.

Transfer of Control

Current Licensee:

VoIP TEL, L.P.

From:

VoIP TEL, L.P.

To:

VoIP TEL, L.P.

Application for consent to the transfer of control of international section 214 authorization, ITC-214-20060718-00356, held by VoIP TEL, L.P. (VoIP), from two of its shareholders to the remaining two shareholders. Specifically, on December 15, 2007, without prior Commission approval, Ismail Ali sold his 24.75% interest in VoIP to Mubarak Maknojia, an existing shareowner of VoIP. In a separate transaction on the same date, also without prior Commission approval, Amin Hemani sold his 24.75% interest in VoIP to Muhammad Ali, an existing shareowner of VoIP. Upon closing, Maknojia and Muhammad Ali each now hold a 49.5% ownership interest in VoIP. The remaining 1% ownership interest is held by VoIP Tech, LLC (Tech), which serves as managing partner to VoIP, and in which Maknojia and Muhammad Ali each have a 50% ownership interest.



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

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

DA 08-2546
Released: November 20, 2008

DOMESTIC SECTION 214 APPLICATION FILED FOR THE
TRANSFER OF CONTROL OF VoIP TEL, L.P.
NON-STREAMLINED PLEADING CYCLE ESTABLISHED
WC Docket No. 08-218

Comments Due: December 4, 2008
Reply Comments Due: December 11, 2008

On October 28, 2008, VoIP TEL, L.P. (VoIP TEL) filed an application pursuant to section 63.03 of the Commission's rules seeking approval of a transfer of control that was consummated on December 15, 2007.¹ At that time, two of the then-existing owners of VoIP TEL sold all of their interests in VoIP TEL to the remaining owners, Mubarak Maknoja and Muhammad Ali (Transferees), who now control VoIP TEL.²

VoIP TEL, a limited partnership organized under Texas law, provides wholesale telecommunications services and prepaid calling card services nationwide, though primarily in Texas. Prior to the transfer that is the subject of this application, VoIP TEL was directly owned by four individuals, each of whom held equal 24.75% limited partnership interests: Ismail Ali, an Indian citizen; Amin Hemani, a Pakistan citizen (collectively, Transferees); Muhammad Ali, a Pakistan citizen; and Mubarak Maknoja, a U.S. citizen. The remaining 1% interest in VoIP TEL was held by a Texas limited liability company, VoIP Tech, LLC (Tech), which serves as the Managing Partner of VoIP TEL.³ Before the transaction was consummated, each of the direct owners also directly held an equal 25% ownership interest in Tech. No other individual or entity held or currently holds a 10% or greater interest in VoIP TEL.

¹ 47 C.F.R. § 63.03; *see* 47 U.S.C. § 214. Applicants have also filed 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 a supplement to their domestic section 214 application on November 18, 2008.

² As this transaction was consummated without prior Commission approval, VoIP TEL has separately filed a request for Special Temporary Authority (STA) that is pending. VoIP Tel states that the delay in requesting consent for the transfers of control at issue occurred because the owners did not realize that an internal transaction among existing owners that did not introduce outside ownership interests would be subject to prior Commission approval. Applicants further state that they filed the STA and application to correct the deficiency.

³ Tech continues to serve as Managing Partner, and continues to hold a 1% direct interest in the Applicant. Thus, each Transferee also holds a 0.50% indirect interest in Applicant through Tech.

On December 14, 2007, each Transferor entered into a separate securities purchase agreement with a corresponding Transferee, to sell all of the Transferor's existing ownership interest in Applicant. Ismail Ali's total interests were sold to Mubarak Maknoja, and Amin Hemani's total interests were sold to Muhammad Ali. Both of the transactions were consummated on December 15, 2007. Effectively, each Transferee now holds a 50% direct and indirect ownership interest in VoIP TEL. Neither Transferee has any other telecommunications carrier affiliates.

Applicants assert that this transaction is entitled to presumptive streamlined treatment under section 63.03(b)(1)(ii) of the Commission's rules.⁴ However, because this transaction is more complex than usual, in order to analyze whether the proposed transaction would serve the public interest, we accept the application for non-streamlined processing.⁵

Applicants state that granting this application will serve the public interest convenience and necessity because VoIP TEL provides options to lower income consumers of telecommunications services, which, they claim, increases competition and reduces prices in domestic markets. They also state that approval of this application will allow VoIP TEL to continue to provide uninterrupted services to its customers at competitive rates.

GENERAL INFORMATION

The transfer of control identified herein has been found, upon initial review, to be acceptable for filing as a non-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 CFR § 63.03(a), interested parties may file comments **on or before December 4, 2008** and reply comments **on or before December 11, 2008**. Comments may be filed using: (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's e-Rulemaking Portal, or (3) by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/epb/ecfs/> or the Federal e-Rulemaking 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.

⁴ 47 C.F.R. § 63.03(b)(1)(ii).

⁵ 47 C.F.R. §§ 63.03(c)(1)(v).

- Paper Filers: Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington D.C. 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202 / 418-0530 (voice), 202 / 418-0432 (tty).

In addition, one copy of each pleading must be sent to each of the following:

- 1) The Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, www.bcpiweb.com; phone: 202 / 488-5300 fax: 202 / 488-5563;
- 2) Tracey Wilson-Parker, Competition Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-A103, Washington, D.C. 20554; e-mail: tracey.wilson-parker@fcc.gov;
- 3) Alex Johns, Competition Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-C317, Washington, D.C. 20554; e-mail: alexis.johns@fcc.gov;
- 4) David Krech, Policy Division, International Bureau, 445 12th Street, S.W., Room 7-A664, Washington, D.C. 20554; e-mail: david.krech@fcc.gov;
- 5) Jim Bird, Office of General Counsel, 445 12th Street, S.W., Room 8-C824, Washington, D.C. 20554; e-mail: jim.bird@fcc.gov.

Filings and comments are also 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, or via e-mail at www.bcpiweb.com.

For further information, please contact Tracey Wilson-Parker at 202 / 418-1394, or Alex Johns at 202 / 418-1167.