



# PUBLIC NOTICE

Federal Communications Commission  
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## DOMESTIC SECTION 214 APPLICATION GRANTED FOR THE TRANSFER OF CONTROL OF DSCI, LLC TO U.S. TELEPACIFIC CORP.

### WC Docket No. 16-67

DSCI Holdings Corporation, DSCI, LLC, and U.S. TelePacific Corp. (TelePacific) (collectively, Applicants) filed an application pursuant to Section 214 of the Communications Act of 1934, as amended, and Section 63.03 of the Commission's rules, requesting approval to transfer control of DSCI, LLC to TelePacific.<sup>1</sup>

On March 15, 2016, the Wireline Competition Bureau (Bureau) released a Public Notice requesting comment on the Application.<sup>2</sup> On March 29, 2016, the Department of Justice, with the concurrence of the U.S. Department of Defense and the U.S. Department of Homeland Security (collectively, the Executive Branch Agencies), filed a letter requesting that the Commission defer action on this proceeding while they completed their review of any national security, law enforcement, and public safety issues.<sup>3</sup> We deferred action on the Application in response to the Executive Branch Agencies' request.<sup>4</sup> On September 9, 2016, the Executive Branch Agencies notified the Bureau that they withdraw their request to defer action.<sup>5</sup> They state that, based on the information provided to them by the Applicants and their analysis of potential national security, law enforcement, and public safety issues, they have no objection to the Application.

The Bureau finds, upon consideration of the record, that grant of the Application will serve the public interest, convenience, and necessity.<sup>6</sup> Upon consummation of the transaction, the resulting entity

<sup>1</sup> See 47 C.F.R. § 63.03; 47 U.S.C. § 214. Applicants also filed applications for the transfer of authorizations associated with 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 March 10, 2016. Letter from Danielle Burt, Counsel for TelePacific, and Michael P. Donahue, Counsel for Parent and DSCI, LLC, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 16-67 (filed Mar. 10, 2016).

<sup>2</sup> *Domestic Section 214 Application Filed for the Transfer of Control of DSCI, LLC to U.S. TelePacific Corp.*, Public Notice, 31 FCC Rcd 2016 (WCB 2016).

<sup>3</sup> See Letter from Bermel R. Paz, U.S. Department of Justice, to Marlene H. Dortch, FCC, WC Docket No. 16-67 (filed Mar. 29, 2016).

<sup>4</sup> *Notice of Removal of Domestic Section 214 Application from Streamlined Treatment*, Public Notice, 31 FCC Rcd 3392 (WCB 2016).

<sup>5</sup> Letter from Bermel R. Paz, U.S. Department of Justice, to Marlene H. Dortch, FCC, WC Docket No. 16-67 (filed Sept. 9, 2016).

<sup>6</sup> See 47 C.F.R. § 63.03(b).

will have a market share in the U.S. interstate interexchange market of less than 10 percent and will provide competitive telephone exchange services or exchange access services (if at all) exclusively in geographic areas served by a dominant local exchange carrier that is not a party to the transaction. In addition, the Applicants are not dominant with respect to any domestic service.<sup>7</sup>

Pursuant to section 1.103 of the Commission's rules, 47 C.F.R. § 1.103, the grant is effective upon release of this Public Notice. Petitions for reconsideration under section 1.106 or applications for review under section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of this Public Notice.

For further information, please contact Dennis Johnson, Wireline Competition Bureau, Competition Policy Division, (202) 418-0809.

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<sup>7</sup> 47 C.F.R. 63.03(b)(2)(i).