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January 17, 2018

Marlene Dortch, Secretary  
Federal Communications Commission  
445-12<sup>th</sup> Street SW  
Washington, DC 205544

Re: Notice of Telecircuit Network Corporation of Oral *Ex Parte* Presentation  
WC Docket No. 17-170

Dear Ms. Dortch:

On January 4, 2018, I participated in a conference call with Jodie May, Nathan Egan, Greg Kwan, and Dennis Johnson of the Wireline Competition Bureau and Erin McMahon, Mika Savir, and Michael Epshteyn of the Enforcement Bureau concerning WC Docket No. 17-170. On behalf of Telecircuit Network Corporation ("Telecircuit"), I updated those on the call regarding events since the filing of the above-captioned joint application of Telecircuit and Global Connection Inc. ("Global") to transfer Global's domestic wireline customer base to Telecircuit.

In the course of the call, I explained that although the parties had contractually agreed to transfer all of Global's wireline customers to Telecircuit, only about half of the customers (about 6,500) had been transferred. I explained that it is my understanding that all of the customers transferred to Telecircuit are located in states where Telecircuit is authorized to provide the same services, including Lifeline discounts, the customers were receiving from Global. All other customers remained with Global.

I also stated that it is my understanding that all of the transferred customers received notice of the transfer pursuant to 47 C.F.R. 64.1120(e) at least thirty days prior to the transfer.

Next, I explained that the above-captioned FCC transfer application and the notice of transfer of the customer base had been filed by Mr. Lance Steinhart who, while retained by Global, was acting as counsel for both Telecircuit and Global for the purpose of making all required state and federal regulatory filings. After a dispute arose over compliance with the parties' contract, each carrier retained a new attorney to provide advice on regulatory matters. I explained that after reviewing the FCC filings, I had concluded that the parties had properly complied with §64.1120(e) concerning the transfer of a customer base from one authorized carrier to another but that §63.03 and §63.04 concerning "domestic transfer of control applications" did not apply to this transaction. I said I had discussed the matter with counsel for Global who agreed that the parties

should withdraw the above-captioned transfer application. We jointly filed the notice of withdrawal on August 23, 2017.

As I explained on the call, I now realize that the FCC "streamlining" Order issued March 21, 2002 (CC Docket No. 01-150) states that a carrier acquiring all or part of another carrier's customer base must not only file notice of the transfer of the customer base, and comply with the customer notice requirements of §64.1120(e) but must also obtain agency approval of the transfer pursuant to §63.03 and §63.04.

Finally, I explained that Telecircuit and Global are in litigation in Georgia Superior Court and that Telecircuit proposes to resolve the matter if the parties can reconcile their financial disputes and if Telecircuit retains those customers who have already been transferred. I said that I now understand that, notwithstanding the parties' attempt to withdraw the transfer application, the application remains pending and the agency must approve the application pursuant to §63.03 and §63.04 in order for the transfer of the customer base to be compliant.

Pursuant to Section 1.1206(1) of the Commission's rules, this letter is being filed electronically.

Sincerely,

BRADLEY ARANT BOULT CUMMINGS, LLP



Henry Walker

HW/dbi

cc: John Heitman