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February 2, 2018

Marlene Dortch
Secretary
Federal Communications Commission
445-12th Street SW
Washington, DC 20554

Via ECFS

Re: **Notice of Global Connection Inc. of America of Oral *Ex Parte* Presentation;**
WC Docket No. 17-170

Dear Ms. Dortch:

On January 31, 2018, John J. Heitmann of Kelley Drye & Warren LLP participated in a telephone call with Jodie May, Assistant Division Chief of the Competition Policy Division of the Wireline Competition Bureau (WCB) on behalf of Global Connection Inc. of America (Global). The purpose of the call was to discuss the Commission's continuing review of a proposed transaction for the assignment of customers from Global to Tele Circuit Network Corporation (Tele Circuit and, together with Global, the Parties)¹ as well as the related dispute that has arisen between Global and Tele Circuit.

We discussed the *ex parte* filing recently submitted by Tele Circuit's counsel and a potential scenario under which WCB could approve the Parties' section 214 application while issues of Tele Circuit's unauthorized carrier change (slamming) and unauthorized transfer of assets would be addressed by the Enforcement Bureau. We also discussed the Commission's

¹ *Domestic Section 214 Application Filed for the Acquisition of Certain Assets of Global Connection Inc. of America by Tele Circuit Network Corporation, Non-Streamlined Pleading Cycle Established*, WC Dkt. 17-170, DA17-674 (rel. Jul. 13, 2017). For the reasons subsequently discussed in Global's September 6, 2017 *ex parte* filing, the Parties jointly filed a notice of withdrawal of the customer transfer application with the Commission on August 23, 2017. See Letter of John J. Heitmann and Henry M. Walker to Marlene Dortch, WC Dkt. 17-170 (Aug. 23, 2017). Pursuant to subsequent discussion with WCB Staff, the Parties acknowledge that the Commission does not consider the withdrawal to have taken effect, with the result that the docket remains open.

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alternatives regarding disposition of any customers found to have been transferred by Tele Circuit in violation of 47 C.F.R. § 64.1120(e).

Global is actively seeking a way to resolve the current impasse; however, there continues to be material disagreement between Global and Tele Circuit, particularly regarding whether – and how many – Global customers were slammed by Tele Circuit. I reiterated Global's position that it has not engaged in a transfer of customers or an assignment of assets pursuant to section 214. The transaction has not closed and Global is not prepared to close the transaction without resolving how customers that are found to have been slammed or transferred without authorization will be treated. Guidance from the Commission is needed to resolve this matter.

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

Sincerely,



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Counsel for Global Connection Inc. of America

cc: Jodie May