

Lance J.M. Steinhart, P.C.
Attorneys At Law
1725 Windward Concourse
Suite 150
Alpharetta, Georgia 30005

Also Admitted in New York
Email: info@telecomcounsel.com

Telephone: (770) 232-9200
Facsimile: (770) 232-9208

February 7, 2019

VIA ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, S.W.
Washington, DC 20554

Attn: Wireline Competition Bureau

Re: Protocall, LLC and Combined Public Communications, LLC
Request for Extension of Special Temporary Authorization
WC 18-309

Dear Secretary Dortch,

Pursuant to 47 U.S.C. § 214, and Section 63.24 of the Commission's Rules, 47 C.F.R. § 63.24, Protocall, LLC ("Protocall") along with Combined Public Communications, LLC ("Combined Public") (collectively, the "Applicants"), hereby respectfully request extension of the Special Temporary Authority ("STA Extension") originally granted November 27, 2018, so that Combined Public may continue to service newly acquired business pending Commission approval of their joint section 214 application for assignment of domestic authorization and transfer of customers and assets from Protocall to Combined Public (the "Joint Application").

Request for Domestic STA Extension; Good Cause

The Parties respectfully request an extension of the Domestic STA granted on November 27, 2018. The Parties submit that good cause exists for extending the Domestic STA on the basis that additional time is needed because the underlying Transfer of Control application was removed from streamlined treatment by the Commission while the Executive Branch Agencies, participating in a working group informally known as "Team Telecom" (Department of Homeland Security, Department of Justice, including the Federal Bureau of Investigation, and the Department of Defense), review the Transfer of Control Application. That review remains ongoing.

Background

A combined Joint Application for approval of the transfer of control was filed on October 10, 2018, and is currently pending before the Commission.

Effective October 1, 2017, Protocall sold all the rights, title and interest in all the customers and assets (the “Transaction”) utilized to provide inmate telecommunications services to certain jails and detention centers in Iowa, Kansas, Colorado, Nebraska and Missouri pursuant to an asset purchase agreement dated September 27, 2017 by and between Protocall and Combined Public (the “Agreement”). The Transaction resulted in the sale of Protocall’s domestic operations and customers, *see* 47 C.F.R. §§ 63.01, 63.03, and 63.04, and the partial assignment of Protocall’s international Section 214 authorization pursuant to 47 C.F.R. §§ 63.18 and 63.24.

Unfortunately, the Applicants did not seek timely Commission approval of the Transaction. The oversight was inadvertent and unintentional. At the time of the Transaction, Protocall did not have advice from federal communications counsel on the Transaction and it was not aware of the obligation to request Commission approval. As soon as this failure came to the Applicants’ attention, the Applicants took steps to remedy the noncompliance and to seek authority, to the extent necessary, for the continued provision of service to customers. The Applicants regret this oversight and have taken steps to ensure compliance with all applicable Commission requirements going forward.

Grant of the STA Extension will serve the public interest by permitting the continued, uninterrupted provision of service to customers while the Commission reviews the Joint Application. Grant of the STA Extension also will promote competition in the inmate telephone services marketplace. Without discounting the regulatory obligation to obtain prior approval, the Applicants note that no harm to customers or to the market occurred as a result of Applicants’ oversight.

The Applicants request temporary authority for sixty (60) days while the Joint Application is pending. The Applicants acknowledge that the grant of this STA Extension will not prejudice any action the Commission may take on the Joint Application, and that once granted, the STA Extension may be revoked on the Commission’s own notice, without a hearing. The Applicants further acknowledge that grant of the STA Extension will neither preclude nor dictate the scope of any enforcement action related to the Transaction.

All correspondence and inquiries in connection with this filing should be forwarded to the undersigned. If you have any questions or if I may provide you with any additional information, please do not hesitate to contact me.

Respectfully submitted,

/s/ Lance J.M. Steinhart

Lance J.M. Steinhart, Esq.
Managing Attorney
Lance J.M. Steinhart, PC
*Attorneys for Combined Public Communications,
LLC and Protocall, LLC*