



151 Southhall Lane, Ste 450  
Maitland, FL 32751  
P.O. Drawer 200  
Winter Park, FL 32790-0200  
www.inteserra.com

July 5, 2019  
Via ECFS Filing

American Network, Inc.  
142 East 39th Street  
New York, NY 10016

FRN: 0004294856  
Secretary, Federal Communications Commission  
Washington, DC 20554  
ATTN: Wireline Competition Bureau

**RE: Joint Application for Authorization to Transfer Control of American Network, Inc.**

Dear Madam Secretary:

Please accept the enclosed Joint Application for Authorization to Transfer Control of American Network, Inc.

Any questions you may have regarding this filing should be directed to my attention at 407-740-3031 or via email to [stthomas@inteserra.com](mailto:stthomas@inteserra.com). Thank you for your assistance in this matter.

Sincerely,

/s/Sharon Thomas

Sharon Thomas  
Consultant

tms: FCx1902

ST/im

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

\_\_\_\_\_  
)  
In the Matter of the Application of )  
)  
**American Network, Inc., Transferor** )  
and )  
**Hammer Fiber Optic Holdings Corp.** )  
**Transferee** )  
)  
)  
For Authority pursuant to Section )  
Section 214 of the Communications Act of 1934, )  
as amended, to Transfer Control )

**WC Docket No. \_\_\_\_\_**

**JOINT APPLICATION FOR AUTHORIZATION  
TO TRANSFER CONTROL OF AMERICAN NETWORK, INC.**

Pursuant to Section 214 of the Communications Act of 1934, as amended (the "Act") and Sections 63.04 of the Commission's rules, 47 C.F.R. §63.04, American Network, Inc. ("American Network" or "Transferor") and Hammer Fiber Optics Holdings Corp. ("Hammer" or "Transferee") (collectively the "Applicants") hereby seek authority to transfer control of American Network. American Network provides domestic telecommunications services only.

In support of this Application, Applicants provide the following information:

**I. CONTACT FOR APPLICATION**

Correspondence concerning this Application should be addressed to the Applicant's regulatory consultant, as follows:

Sharon Thomas  
President and Consultant  
Inteserra Consulting Group, Inc.  
151 Southhall Lane, Suite 450  
Maitland, FL 32751  
Phone: 407-740-3031  
Email: [sthomas@inteserra.com](mailto:sthomas@inteserra.com)

## **II. DESCRIPTION OF THE APPLICANTS**

### **A. Transferor**

The Transferor is:

American Network, Inc.  
142 E. 39<sup>th</sup> Street  
New York, NY 10016  
Phone: 302-772-9500

American Network was incorporated under the laws of the state of Delaware on April 17, 1991. The following information is provided for any person or entity that directly or indirectly owns at least 10% of the equity of American Network:

Name:	Mr. Kent Charugundla
Address:	142 E. 39 <sup>th</sup> Street New York, NY 10016
Citizenship:	US
Principal Business:	Telecommunications
Percent Ownership:	100%

American Networks holds authority to provide domestic telecommunications services, including local exchange service, in the state of New York. American Network does not provide any international services. Neither American Network nor Mr. Charugundla hold 10% or more ownership interest in any other local or international services telecommunications company.

### **B. Transferee**

The Transferee is:

Hammer Fiber Optics Holdings Corp.  
310 Broadway  
Point Pleasant Beach, NJ 08741  
Phone: 732-333-3808

Hammer was organized under the laws of the state of Nevada on June 14 2014. Hammer is a publicly-traded company and no single individual or entity owns 10% or more of its stock.

All of the individual owners are U.S. citizens and all companies with ownership interested in Hammer are U.S. companies. Hammer operates as an investment holding company and does not directly provide any telecommunications services. Through its subsidiaries, it specializes in the financing and development of fiber and wireless broadband assets.

Hammer's owns 100% of Endstream Communications, LLC ("Endstream"), a Limited Liability Company organized in the State of New York, which operates as a wholesale provider of domestic and international telecommunications services that are purchased by other carriers to provide interconnected VoIP, toll free, calling card and other communications services. Endstream holds International 214 Authorization ITC-214-20070904-00355.

Hammer also owns 100% of 1<sup>st</sup> Point Communications, LLC ("1<sup>st</sup> Point"), which is a Limited Liability Company organized in the state of New Jersey on 1 January 2012. 1<sup>st</sup> Point provides interconnected VoIP services only.

Finally, Hammer owns 100% of Hammer Fiber Optic Investments Ltd. ("Hammer Investments"), which previously provided interstate and intrastate interconnected VoIP services in New Jersey and holds an international 214 license to provide Global or Limited Global Resale Service, File No. ITC-214-20160323-00124, but is no longer providing any telecommunications or interconnected VoIP services. Hammer Fiber Optic Investments Ltd. is a Delaware corporation, incorporated on June 13, 2014.

Hammer has a six-member Board of Directors, which is responsible for overseeing the Company's operations. Its board members are as follows:

Michael Cothill - Executive Chairman  
Erik Levitt - CEO  
Mark Stogdill - CFO and Executive Director  
Michael Sevell - Non-Executive Director

Mr. Levitt is primarily responsible for the day-to-day operations of the company. All of the board members listed above are U.S. citizens.

### **III. DESCRIPTION OF THE TRANSACTION**

Pursuant to a Stock Purchase Agreement between the Applicants, 100% of the shares of American Network will be owned by Hammer's wholly-owned subsidiary, 1<sup>st</sup> Point, making

Hammer the ultimate owner of 100% of American Network. As of the transaction close, American Network will continue to operate as separate entity. The Transaction is expected to close as soon as possible, subject to regulatory approval.

The proposed transfer of control will have no adverse impact on customers. Following the transaction American Network will continue to offer the same local and exchange services that it currently offers to customers, under the same rates, terms and conditions.

#### **IV. PUBLIC INTEREST STATEMENT**

The proposed Transaction described above will serve the public interest. The Transaction will have no negative impact on the customers served by American Network, which will continue to benefit from the competitive telecommunications services offered. The purchase of American Network by Hammer will strengthen its financial and competitive position, giving it a greater ability to compete effectively and expand telecommunications services in New York, to the benefit of New York consumers.

#### **V. ADDITIONAL INFORMATION REQUIRED BY SECTION 63.04**

(a)(5) American Network and Hammer certify that no party to this Application is subject to a denial of Federal benefits pursuant to section 5301 of the Anti-Drug Abuse Act of 1988.

(a) (8) Applicants respectfully submit that this Application is eligible for streamlined processing pursuant to Section 63.03(b)(2)(i) of the Commission's rules because

(1) The proposed transaction would result in Hammer or its subsidiaries and affiliates having a market share in the interstate, interexchange market of less than 10 percent; and

(2) Hammer or its subsidiaries and affiliates would provide competitive telephone exchange and exchange access services exclusively in areas served by a dominant carrier that is not a party to the transaction; and

(3) Neither of the Applicants or their subsidiaries and affiliates are dominant with respect to any service.

**(a)(9)** There are no other Commission applications related to this transaction.

**(a)(10)** The Applicants are not requesting special consideration because either party or its subsidiaries and affiliates to the transaction are facing imminent business failure.

**(a)(11)** No separately filed waiver requests are being sought in conjunction with this transaction.

VI. CONCLUSION

For the reasons stated above, Applicants respectfully submit that the public interest, convenience, and necessity would be furthered by a grant of this Application. Applicants respectfully request that the Commission approve the proposed Transaction as soon as possible.

Respectfully submitted,

/s/ Sharon Thomas

Sharon Thomas  
Inteserra Consulting Group, Inc.  
151 Southhall Lane  
Suite 450  
Maitland, FL 32751  
Tel: 407-740-3031  
Fax: 407-740-0613  
sthomas@inteserra.com

Consultant to Transferor and Transferee

Dated: July 3, 2019

## VERIFICATION

I, Kent Charugundla, hereby declare that:

- (1) I am the owner and President of American Network, Inc.;
- (2) I am authorized to make this declaration on behalf of American Networks, Inc.; and
- (3) The statements in the foregoing Application for Transfer of Control of American Networks, Inc.. are true and correct to the best of my knowledge, information and belief.

I declare under penalty of perjury the foregoing is true and correct.

Executed this 14th day of June, 2019

*Kent Charugundla* June 14, 2019  
**Kent Charugundla**  
**Owner and President**  
**American Networks, Inc.**

## VERIFICATION

I, Erik Levitt, hereby declare that:

- (1) I am CEO of Hammer Fiber Optics Holdings Corp. ;
- (2) I am authorized to make this declaration on behalf of Hammer Fiber Optics Holdings Corp. ; and
- (3) The statements in the foregoing Application for Transfer of Control of American Networks, Inc. are true and correct to the best of my knowledge, information and belief.

I declare under penalty of perjury the foregoing is true and correct.

Executed this 14th day of June, 2019

A handwritten signature in black ink, reading "Erik B. Levitt". The signature is written in a cursive, flowing style with a horizontal line underneath it.

**Erik Levitt, CEO**  
**Hammer Fiber Optics Holdings Corp.**