

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

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First Amendment In the Matter of	)	
	)	
Infinity Networks, Inc.	)	WC Docket No. 19-221
Assignor,	)	
	)	
and	)	
	)	
Combined Public Communications, LLC	)	
Assignee,	)	
	)	
For Consent To Transfer Customers of Company	)	
Subject to Blanket Domestic Authority	)	
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## **FIRST AMENDED APPLICATION**

Pursuant to Section 214 of the Communications Act of 1934, as amended (the “Act”), 47 U.S.C. § 214, and Sections 63.01, 63.03 and 63.04 of the Federal Communications Commission’s (the “Commission”) rules, 47 C.F.R. §§ 63.01, 63.0 and 63.04 Combined Public Communications, LLC (“Combined Public”) and Infinity Networks, Inc. (“Infinity”) ( Combined Public and Infinity are collectively the “Applicants”) hereby respectfully submit this First Amendment requesting Commission consent for the transfer of customers from Infinity to Combined Public.

Effective February 26, 2018<sup>1</sup>, three inmate communications services agreements for facilities in the State of Alabama were assigned by Infinity to Combined Public (the “Transaction”) pursuant to a Bill of Sale, Assignment and Assumption Agreement by and between Infinity and Combined Public (the “Agreement”).

### **I. REQUEST FOR STREAMLINED TREATMENT**

The Applicants hereby respectfully request streamlined treatment of this First Amended Application pursuant to Section 63.03 and of the Commission’s rules, 47 C.F.R. §§ 63.03. This First Amended Application is eligible for streamlined processing pursuant to Section 63.03(b)(2) of the Commission’s rules because (i) the Transaction resulted in Combined Public, the transferee, having a market share in the interstate, interexchange market of less than 10 percent; (ii) Combined Public 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; and (iii) neither the Applicants nor any of their affiliates are regulated as dominant with respect to any service

Unfortunately, the Applicant did not seek timely Commission approval of the

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<sup>1</sup> The Applicants are concurrently filing a request for Special Temporary Authority with the Wireline Competition Bureau for authority to continue providing services to customers pending approval of this First Amended Application.

Transaction. The oversight was inadvertent and unintentional. As soon as this failure came to the Applicants' attention, the Applicants took steps to remedy the noncompliance to the extent possible by seeking Special Temporary Authority ("STA"), attached hereto as Exhibit A, 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.

The Applicants request expeditious approval of the assignments which would serve the public interest by allowing customers to continue to receive competitive services from Combined Public without interruption. As a competitive provider of inmate telephone services, Combined Public is well qualified to provide the domestic services to the acquired customers.

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

A. Infinity Networks, Inc. (FRN: 0022146591) (The information in this First Amended Application regarding Assignor is based upon the Assignee's information and belief, and publicly available records.)

Infinity is a Louisiana corporation with headquarters located at 8500 Shoal Creek Blvd., Suite 100, Austin, Texas 78757. Infinity has blanket authority to provide interstate telecommunication services. Infinity provides inmate telephone services to correctional facilities in Georgia and Louisiana.

B. Combined Public Communications, LLC (FRN: 0004327656)

Combined Public is a Delaware limited liability company with headquarters located at 100 Aqua Drive, Cold Spring, Kentucky 41076. Combined Public has authority to provide interstate and international telecommunication services.<sup>2</sup> Combined Public specializes in the provision of

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<sup>2</sup> File No. ITC -214-20101119-00450 granting authority to provide resale services granted December 10, 2010.

inmate communications services and is providing service in Alabama, Colorado, Florida, Georgia, Indiana, Iowa, Kansas, Kentucky, Missouri, Nebraska, North Carolina, Ohio, and Tennessee.

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

The Transaction was a sale, assumption and assignment agreement under which Combined Public acquired three inmate communications services agreements for facilities in the State of Alabama. Customers continue to be serviced by Combined Public on substantially the same terms and conditions as previously provided by Infinity. The consummation of the Transaction did not result in an interruption, reduction, loss or impairment of services to any customer.

The Transaction did not result in a reduction or impairment of service to Infinity's customers. As more fully described below in the public interest statement, Combined Public continues to provide a high level of technical operations and customer service to Infinity's customers.

The Transaction raises no competitive issues. Combined Public continues to compete with other local providers of inmate telecommunication services.

No radio licenses were included in the Transaction. No foreign carrier affiliations resulted from this Transaction, and consumers will not be harmed. Infinity will continue to provide domestic services.

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

Approval of the Transaction will serve the public interest, convenience, and necessity as it will permit the continued, uninterrupted provision of high-quality service to customers. Approval will also promote competition in the inmate telecommunications marketplace. The effect of the Transaction and transfer of customers from Infinity to Combined Public has not resulted in an interruption, reduction, loss or impairment of services to any customer. Further, the Applicants are not aware of any harm to customers or to the market that has occurred as a result of the

Transaction. The continued provision of service by Combined Public will provide customers the positive benefit of access to existing and new product offerings. The Transaction is transparent to customers and will not have a negative impact on the public interest, services to customers, or competition.

**V. INFORMATION REQUIRED BY SECTION 63.24(e) OF THE COMMISSION'S RULES**

In support of this First Amended Application, the Applicants submit the following information pursuant to Section 63.24(e) of the Commission's rules:

**(a) Name, address, and telephone number of Assignor and Assignee.**

Assignor:

Infinity Networks, Inc.  
Attn: William Bell, President  
8500 Shoal Creek Blvd., Suite 100  
Austin, TX 78757  
Telephone: (866) 681-2948  
FRN: 0022146591

Assignee:

Combined Public Communications, LLC  
Attn: Josh Welk, CFO  
100 Aqua Drive, Cold Spring, KY 41076  
Telephone: (859) 652-9972  
FRN: 0004327656

**(b) State under the laws of which each applicant is organized.**

Infinity is a Corporation organized under the laws of the State of Louisiana. Combined Public is a limited liability company organized under the laws of the State of Delaware.

**(c) Name, title, address, and telephone number of legal counsel for Combined Public.**

Lance J.M. Steinhart, P.C.  
Attorneys At Law  
1725 Windward Concourse, Suite 150  
Alpharetta, Georgia 30005  
Attention: Lance J.M. Steinhart, Esq.  
Managing Attorney  
Telephone: (770) 232-9200  
Email: lsteinhart@telecomcounsel.com

**VI. INFORMATION REGARDING DOMESTIC TRANSFER OF CONTROL**

Pursuant to Section 63.04 of the Commission's Rules, 47 C.F.R. § 63.04(b), the Applicants respectfully request authority to permit the transfer certain customers to Combined Public. Applicants provide the following information in support of its request:

**(a) § 63.04(a)(6) Description of the Transaction.**

The Applicants describe the Transaction in Section II of this First Amended Application.

**(b) § 63.04(a)(7) Geographic Areas Served and Services Provided.**

The Applicants describe the geographic areas in which they offer domestic telecommunications services and the services that are provided in each area in Sections I and II of this First Amended Application.

**(c) § 63.04(a)(8) Statement Regarding Streamlined Treatment.**

The Applicants' Section 214 assignment application is eligible for streamlined processing pursuant to Section 63.03(b)(2), 47 C.F.R. § 63.03(b)(2), of the Commission's rules because: (i) the Transaction resulted in Combined Public, the assignee, having a market share in the interstate interexchange market of less than 10 percent; (ii) Combined Public will provide competitive telephone exchange services exclusively in geographic areas served by a dominant local exchange

carrier that is not a party to the Transaction; and (iii) neither the Applicants nor any of their affiliates are regulated as dominant with respect to any service.

**(d) § 63.04(a)(9) Other Related Commission Applications.**

In connection with this First Amended Application, the Applicants will submit a Request for Special Temporary Authorization regarding the continued provision of service to customers.

**(e) § 63.04(a)(10) Statement Regarding Special Consideration.**

None.

**(f) § 63.04(a)(11) Identification of Waiver Requests.**

None.

**(g) § 63.04(a)(12) Public Interest Statement.**

The Applicants provide a statement showing how the approval of this application will serve the public interest, convenience, and necessity in Section III of this First Amended Application.

## VII. CONCLUSION

Based on the foregoing, the Applicants hereby respectfully request that the Commission grant this First Amended Application and consent to the transfer of customers from Infinity to Combined Public to allow the transition and uninterrupted provision of services to customers.

Respectfully submitted,

*/s/ Lance J.M. Steinhart*

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*Attorneys for Combined Public  
Communications, LLC*

Dated: August 1, 2019



**EXHIBIT A**

**REQUEST FOR SPECIAL TEMPORARY AUTHORITY  
First Amended Application for Consent to Transfer Customers**

**Lance J.M. Steinhart, P.C.**

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Alpharetta, Georgia 30005

Also Admitted in New York  
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August 1, 2019

**VIA ECFS**

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

Re: Infinity Networks, Inc. and Combined Public Communications, LLC,  
First Amended Request for Special Temporary Authorization  
WC-19-221

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, Infinity Networks, Inc. ("Infinity") along with Combined Public Communications, LLC ("Combined Public") (collectively, the "Applicants"), hereby respectfully request Special Temporary Authority ("STA") so that Combined Public may continue to service the acquired customers pending Commission approval of their First Amended Section 214 Application, filed concurrently herewith, for assignment of domestic authorization and for transfer of certain customers of Infinity to Combined Public (the "Application").

Effective February 26, 2018, three inmate communications services agreements for facilities in the State of Alabama were assigned by Infinity to Combined Public (the "Transaction") pursuant to a Bill of Sale, Assignment and Assumption Agreement by and between Infinity and Combined Public (the "Agreement"). The Transaction resulted in a transfer of certain customers, *see* 47 C.F.R. §§ 63.01, 63.03, and 63.04.

Unfortunately, the Applicants did not seek timely Commission approval of the Transaction. The oversight was inadvertent and unintentional. Unfortunately, the Applicants did not seek timely Commission approval of the Transaction. The oversight was inadvertent and unintentional. As soon as this failure came to the Applicants' attention, the Applicants took steps to remedy the noncompliance. The Applicants regret this oversight and have taken steps to ensure compliance with all applicable Commission requirements going forward.

Grant of the STA will serve the public interest by permitting the continued, uninterrupted provision of service to customers while the Commission reviews the Application. Grant of the STA 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 Application is pending. The Applicants acknowledge that the grant of this STA will not prejudice any action the Commission may take on the Application, and that once granted, the STA may be revoked on the Commission's own notice, without a hearing. The Applicants further acknowledge that grant of the STA 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  
Managing Attorney  
Lance J.M. Steinhart, P.C.  
*Attorneys for Combined Public Communications, LLC*

**EXHIBIT B**  
**CERTIFICATIONS**

**CERTIFICATION**

I, Josh Welk, hereby state under penalty the perjury that I am the Chief Financial Officer of Combined Public Communications, LLC, that I have reviewed the foregoing Application and know the contents thereof, and that the statements made therein are true and correct to the best of my knowledge and belief.

Dated: July 17, 2019

A handwritten signature in black ink, appearing to read 'Josh Welk', written over a horizontal line.


Josh Welk  
Combined Public Communications, LLC  
CFO

### CERTIFICATION

I, Joseph Lucio, hereby state under penalty the perjury that I am the Vice President (Title) of Infinity Networks, Inc., that I have reviewed the foregoing Application and know the contents thereof, and that the statements made therein are true and correct to the best of my knowledge and belief.

Dated: \_\_\_\_\_

7/29/2019

  
\_\_\_\_\_  
Joseph Lucio  
Infinity Networks, Inc.