



# PUBLIC NOTICE

Federal Communications Commission  
445 12<sup>th</sup> St., S.W.  
Washington, D.C. 20554

News Media Information 202 / 418-0500  
Internet: <http://www.fcc.gov>  
TTY: 1-868-835-5322

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## NOTICE OF REMOVAL OF DOMESTIC SECTION 214 APPLICATION FROM STREAMLINED TREATMENT

WC Docket No. 09-228

The Wireline Competition Bureau (Bureau) has removed the application listed in this notice from streamlined treatment pursuant to the Commission's streamlined procedures for domestic section 214 transfer of control applications.<sup>1</sup> Section 63.03(c)(1)(v) of the Commission's rules provides that, at any time after an application is filed, the Commission, acting through the Chief of the Bureau, may notify an applicant that its application is being removed from streamlined processing where the Commission "determines that the application requires further analysis to determine whether a proposed transfer of control would serve the public interest."<sup>2</sup>

Domestic Section 214 Application Filed for the Transfer of Control of Total Call International, Inc. to KDDI America, Inc. WC Docket No. 09-228, Public Notice, DA 09-2620 (filed Dec. 22, 2009).

On December 22, 2009, the Commission released a public notice accepting for streamlined processing the domestic section 214 application to transfer control of Total Call International, Inc. to KDDI America, Inc.<sup>3</sup> On January 4, 2010, the Department of Justice, including the Federal Bureau of Investigation, with concurrence of the Department of Homeland Security (collectively, the Executive Branch Agencies), filed a letter requesting that the Commission defer grant of this application while the Executive Branch Agencies address potential national security, law enforcement, and public safety issues.<sup>4</sup>

This application is being removed from streamlined review in response to the request filed by the Executive Branch Agencies. Final action on this application should be expected once the Commission has received notification from the Executive Branch Agencies that the evaluation has been completed, but not later than 180 days from public notice that the application was accepted for filing.<sup>5</sup>

<sup>1</sup> 47 U.S.C. 214; 47 C.F.R. § 63.03; *Implementation of Further Streamlining Measures for Domestic Section 214 Authorizations*, CC Docket No. 01-150, Report and Order, 17 FCC Rcd 5517 (2002).

<sup>2</sup> See 47 C.F.R. § 63.03(c)(1)(v).

<sup>3</sup> *Domestic Section 214 Application Filed For the Transfer of Control of Total Call International, Inc. to KDDI America, Inc.*, WC Docket No. 09-228, Public Notice, DA 09-2620 (rel. Dec. 22, 2009).

<sup>4</sup> See Letter from Jennifer Rockoff, U.S. Department of Justice, to Marlene H. Dortch, FCC, WC Docket No. 09-228 (filed Jan. 4, 2010).

<sup>5</sup> See 47 C.F.R. § 63.03(c)(2).

For further information, please contact Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, at 202 / 418-0809.

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