



PUBLIC NOTICE

Federal Communications Commission
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DA 11-997
Released: June 3, 2011

DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF FAIRCALL CORPORATION

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 11-96

Comments Due: June 17, 2011
Reply Comments Due: June 24, 2011

MAILED
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FCC Mail Room

On May 18, 2011, Faircall Corporation and its current shareholder, BBG Communications, Inc. (BBG), and its proposed shareholders (together, Applicants) filed an application pursuant to section 63.03 of the Commission's rules¹ to transfer control of Faircall from BBG to the new shareholders described below.

Faircall, a Florida corporation, provides resold long distance services nationwide. It is a wholly owned subsidiary of BBG, a Delaware corporation that also provides telecommunications services. Pursuant to the terms of the proposed two-step transaction, the shares of Faircall will be transferred, in the form of a dividend, from BBG to the shareholders of BBG, two California revocable trusts created for the benefit of the families of Rafael Galicot and Gregorio Galicot, both U.S. citizens.² In the second step, the Galicots' revocable trusts will, upon receipt of the Faircall stock, transfer the stock to two California irrevocable trusts that have been created for the benefit of the children of the two families. The irrevocable trusts are the CMG 2011 Irrevocable Trust, established under the Declaration of Trust, dated March 28, 2011, and the RKG 2011 Irrevocable Trust, established under the Declaration of Trust, dated March 28, 2011 (Transferees). Applicants state that David Abeles, a U.S. citizen, is the trustee of the Transferee trusts, and that the trust beneficiaries are U.S. citizens. Applicants state that each of the trusts will hold 50 percent of the shares of Faircall following consummation of the transaction. They further state that Transferees do not currently provide telecommunications services. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(i) of the Commission's rules and that a grant of the application will serve the public interest, convenience, and necessity.³

¹ 47 C.F.R. § 63.03; see 47 U.S.C. § 214. Applicants are also filing applications for transfer of control associated with authorization for international services. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications.

² Applicants state that the revocable trusts are the Rafael S. Galicot and Karla O. Galicot Family Trust, dated September 15, 2005, Rafael S. Galicot and Karla O. Galicot, Trustees, and the Galicot/Nobel Family Trust, dated February 11, 2005, Gregorio Galicot and Melissa Nobel, Trustees.

³ 47 C.F.R. § 63.03(b)(2)(i).

GENERAL INFORMATION

The transfer of control identified herein has been found, upon initial review, to be acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 CFR § 63.03(a), interested parties may file comments **on or before June 17, 2011**, and reply comments **on or before June 24, 2011**. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.⁴ Comments must be filed electronically using (1) the Commission's Electronic Comment Filing System (ECFS) or (2) the Federal Government's e-Rulemaking Portal. See 47 C.F.R. § 63.03(a) ("All comments on streamlined applications shall be filed electronically . . ."); *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Comments may be filed electronically using the Internet by accessing the ECFS, <http://www.fcc.gov/cgb/ecfs/>, or the Federal e-Rulemaking Portal, <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
- For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

In addition, e-mail one copy of each pleading to each of the following:

- 1) The Commission's duplicating contractor, Best Copy and Printing, Inc., fcc@bcpiweb.com; phone: (202) 488-5300; fax: (202) 488-5563;
- 2) Tracey Wilson, Competition Policy Division, Wireline Competition Bureau, tracey.wilson@fcc.gov;
- 3) Jodie May, Competition Policy Division, Wireline Competition Bureau, jodie.may@fcc.gov;
- 4) David Krech, Policy Division, International Bureau, david.krech@fcc.gov; and
- 5) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

Filings and comments are available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554; telephone: (202) 488-5300; fax: (202) 488-5563; e-mail: fcc@bcpiweb.com; url: www.bcpiweb.com.

⁴ Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

For further information, please contact Tracey Wilson at (202) 418-1394 or Jodie May at (202) 418-0913.

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