



PUBLIC NOTICE

Federal Communications Commission
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Released: June 22, 2011

DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF ARIALINK TELECOM LLC TO ARIALINK FIBER COMMUNICATIONS LLC

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 11-101

Comments Due: July 6, 2011
Reply Comments Due: July 13, 2011

On June 6, 2011, Arialink Telecom LLC (Arialink) and Arialink Fiber Communications LLC (Arialink Fiber LLC) (together, Applicants) filed an application pursuant to section 63.03 of the Commission's rules¹ to transfer control of Arialink to a new group of shareholders described below.

Arialink, a Michigan limited liability company, provides competitive local exchange carrier and interstate voice and data services in Michigan. It is currently owned 100 percent by Control Room Technologies LLC (CRT). Applicants state that, in January 2011, Spire Capital Partners II, L.P. (Spire Capital), a Delaware limited partnership, executed a letter of intent to acquire substantially all of the interests of CRT, of which only Arialink is a telecommunications carrier.² Following the proposed transaction, CRT will be owned 100 percent by Arialink Fiber Communications Inc., a Delaware corporation that will in turn be owned 100 percent by Arialink Fiber LLC, also a Delaware limited liability company. Spire Capital will own 64 percent of Arialink Fiber LLC, and the pre-existing Arialink Fiber LLC shareholders (Rollover Shareholders) will own 36 percent of Arialink Fiber LLC. Applicants state that the largest Rollover Shareholder is Jason Schreiber, a U.S. citizen, who will own approximately 34 percent of Arialink Fiber LLC and that no other Rollover Shareholder will own at least 10 percent of Arialink Fiber LLC following the transaction. Applicants further state that the managing members/general partners of Spire Capital are: Andrew J. Armstrong, Jr., Bruce M. Hernandez, Sean C. White, and Richard H. Patterson, all U.S. citizens. Spire Capital does not own interests in other telecommunications carriers. 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 filed supplements to their domestic section 214 application on June 17 and 21, 2011.

² Applicants state that the proposed transaction will be structured as a stock transaction involving the indirect acquisition of 100 percent of Arialink, with the exception of Arialink's residential customers, who are being assigned by Arialink to its affiliate, Spectrum Broadband, LLC, in a separate *pro forma* transaction.

³ 47 C.F.R. § 63.03(b)(2)(i).

Domestic Section 214 Application Filed for the Transfer of Control of Arialink Telecom LLC to Arialink Fiber Communications LLC, WC Docket No. 11-101 (filed June 6, 2011).

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 July 6, 2011**, and reply comments **on or before July 13, 2011**. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.⁴ Comments should be filed using the Commission's Electronic Comment Filing System (ECFS). See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.

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.

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

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