

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

In re Verizon Communications, Inc.'s)
Request for Foreign Ownership Ruling) IB Docket No. 13-230
)
)

To: Chief, International Bureau

Comments of NTCH, Inc.

NTCH, Inc. (NTCH) has no objection per se to the ownership ruling which Verizon Communications, Inc. (Verizon) seeks here, but we do have three provisos.

First, before ruling on this petition, the Commission should act on the pending petition for reconsideration filed by NTCH in Docket 12-4. There it was conclusively established that Verizon Wireless's acquisition of hundreds of FCC licenses between 2000 and the present has been unlawful because there was no outstanding or legally granted forbearance from the application of the alien ownership provisions of Section 310(b)(3) of the Act. This occurred because Vodafone Group Plc had sought and requested a Section 310(b)(4) ruling permitting it to hold a controlling interest in Verizon Wireless but never sought or received forbearance from the different legal strictures which apply to non-controlling interests in excess of 20%. Since it appears that Verizon plans to spin off ownership in itself to thousands of innocent Vodafone shareholders, it would be important for those shareholders to know at the outset that their investment may be of considerably diminished value. The fact that Verizon Wireless has acquired and continues to acquire licenses in contravention of Section 310(b)(3) is also a factor which the Commission must consider as part of its Section 310(b)(4) analysis here.

Second, the Commission should make it clear that its action here does not apply to any subsidiaries of Verizon that may have direct alien ownership in excess of 20%. As was explained in *Review of Foreign Ownership Policies for Common Carrier and Aeronautical Radio Licenses under Section 310(b)(4) of the Communications Act, as Amended*, 27 FCC Rcd 9832 (2012), those holdings must be weighed and evaluated under the forbearance procedures adopted there rather than under Section 310(b)(4) procedures.

Finally, the Commission should make clear that the original ruling issued in 2000 that permitted Vodafone to own up to 65.1% of Verizon Wireless¹ is no longer effective. Section 310(b)(4) rulings appear to be of indefinite or infinite duration, even when the facts and circumstances which justified the original public interest finding may long ago have changed or disappeared. So the 2000 Vodafone ruling should be rescinded, and any new approval of Verizon's authority to have alien owners in excess of Section 310 limits should have a reasonable time-delimited duration.

Respectfully submitted,

NTCH, Inc.

By: _____/s/_____

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¹ Applications of Vodafone AirTouch, Plc and Bell Atlantic Corporation for Consent to Transfer of Control or Assignment of Licenses and Authorizations, Memorandum Opinion and Order, 15 FCC Rcd 16507 (WTB and International Bureau, 2000).