

# NOWALSKY & GOTHARD

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Attorneys at Law

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Metairie, Louisiana 70005

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LEON L. NOWALSKY  
EDWARD P. GOTHARD

November 13, 2013

## BY OVERNIGHT DELIVERY

Federal Communications Commission  
Wireline Competition Bureau  
9300 E. Hampton Drive  
Capitol Heights, MD 20743

FCC c/o US Bank (Via U.S. Mail)  
Wireline Competition Bureau - CPD- 214 Appls.  
P.O. Box 979091  
St. Louis, MO 63197-9000

US BANK/FCC NOV 18 2013

RE: Application for consent to the transfer of control of a business which has Blanket Domestic Interstate 214 Authority - Transfer of ownership of Voda Networks, Inc. From Michael Berg, Transferor, to Christine Rizzuto, Transferee

Dear Sir or Madam:

Enclosed please find the following documents submitted on behalf of Voda Networks, Inc., Michael Berg, Transferor to Christine Rizzuto, Transferee

1. The original and four (4) copies of an Application for consent to the transfer of control of a business which has blanket domestic interstate 214 authority.
2. The original and four (4) copies of FCC Form 159.
3. Our AMEX number authorizing a charge in the amount of \$1,050.00 representing the filing fee for this Application.

Please return a copy of this letter, date-stamped, in the envelope provided as evidence of the filing.

Should you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,



Leon Nowalsky *LN*

Enclosures  
cc: FCC Copy Contractor

**BEFORE THE  
Federal Communications Commission  
WASHINGTON, D.C. 20554**

\_\_\_\_\_)  
In the Matter of the Transfer of Control of )

Voda Networks, Inc. )

From: )

Michael Berg, Transferor )

To: )

Christine Rizzuto, Transferee )

)  
Application Pursuant to Section 214 of the )  
Communications Act of 1934 and Section 63.04 )  
of the Commission's Rules for Consent to the )  
Transfer of Control of Voda Networks, Inc. )  
From Michael Berg, Transferor, to Christine Rizzuto, )  
Transferee )

File No.

To: The Commission )  
\_\_\_\_\_)

Attention: Wireline Competition Bureau

DOMESTIC APPLICATION FOR CONSENT TO TRANSFER OF CONTROL

Pursuant to section 214 of the Communications Act of 1934, as amended, and sections 63.01 through 63.04 of the Commission's Rules, Voda Networks, Inc. ("Voda"), Michael Berg ("Berg") and Christine Rizzuto ("Rizzuto"), by their attorneys, hereby seek consent to the transfer of control of Voda from Berg to Rizzuto by virtue of a stock transfer (the "Acquisition"). Voda holds blanket section 214 authority to provide domestic telecommunications services.

Grant of the requested authority will permit consummation of a transaction whereby Rizzuto will acquire the stock of Voda (which represents all of the shares of Voda) from Berg. The proposed transfer will benefit the public interest. In accordance with 47 C.F.R. § 63.03, the parties request streamlined processing of this Application.

- (1) The name, address and telephone number of the transferor and transferee.

Transferor:

Michael Berg  
329 Broadway, Apt. D  
Bethpage, New York 11714  
Telephone:

Transferee:

Christine Rizzuto  
11 Olympia Place  
East Northport, New York 11731  
Telephone:

- (2) The state of incorporation of transferor and transferee.
- Berg is a person of full age and majority and a resident of the State of New York
  - Rizzuto is a person of full age and majority and a resident of the State of New York
- (3) Correspondence concerning this Application should be addressed to:

Leon Nowalsky  
Nowalsky, Bronston & Gothard, APLLC  
1420 Veterans Blvd.  
Metairie, Louisiana 70005  
(504) 832-1984 (Telephone)  
(504) 831-0892 (Facsimile)  
lnowalsky@nbglaw.com

(4) Voda certifies to the following information:

The name, address, citizenship, and principal place of business of the owners of Voda, holding a 10 percent or greater ownership interest, are:

Transferor:

Michael Berg, an individual 100% owner  
Address: 329 Broadway, Apt. D  
Bethpage, New York 11714  
Citizenship: United States  
Principal Business: Telecommunications  
Berg does not own a 10% or greater ownership or equity interest in any other telecommunications companies.

Transferee:

Christine Rizzuto, an individual 100% owner  
Address: 11 Olympia Place  
East Northport, New York 11731  
Citizenship: United States  
Principal Business: Chief Operating Officer  
Rizzuto does not own a 10% or greater ownership or equity interest in any other telecommunications companies

- (5) The parties to this application certify that neither the Applicants nor any party to the Application is subject to a denial of Federal benefits that includes FCC benefits pursuant to section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. 862.
- (6) Grant of the requested authority will permit consummation of a transaction whereby Rizzuto will acquire substantially all of the shares of Voda from Berg.
- (7) Voda is a non-dominant carrier that resells local, domestic and long distance service from various facilities based carriers. Voda is authorized by the FCC to offer domestic interstate services in forty-eight (48) states and the District of Columbia as a non-dominant carrier.
- (8) This Application is appropriate for streamlined treatment based on Section 63.03(b)(1)(I) and 63.03(b)(2)(I).

- (9) Voda did not obtain a Section 214 International authorization.
- (10) Not applicable.
- (11) Not applicable.
- (12) Grant of the instant application will serve the public interest, convenience, and necessity. Consummation of the proposed transaction will result in net benefits to Voda's customers by strengthening the financial status of Voda. The transaction will enhance Voda's ability to offer a broader range of innovate products and services to customers.

**V. SUMMARY AND CONCLUSION**

In summary, consent to the proposed transaction will allow Voda to continue providing quality service to a greater number of customers and will increase competition.

No new construction is involved, and grant of the instant application would not constitute a "major" environmental action pursuant to Section 1.1305 of the Commission's Rules.

In view of the foregoing, the applicants respectfully request that the Commission consent to the stock transfer from Berg to Rizzuto resulting in the acquisition of Voda and its domestic telecommunications operations.

Dated this 6th day of November, 2013

Respectfully submitted,

By Leon L. Nowalsky

Leon Nowalsky *lna*  
Nowalsky, Bronston & Gothard  
A Professional Limited Liability Company  
1420 Veterans Blvd.  
Metairie, Louisiana 70005  
Telephone: (504) 832-1984  
Counsel for Voda Networks, Inc., Michael Berg and  
Christine Rizzuto

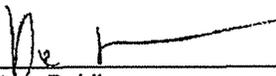
STATE OF New York  
COUNTY OF Nassau

VERIFICATION

I, Michael Berg, am the President of Voda Networks, Inc., and am authorized to make this verification on its behalf. The statements made in the foregoing Application are true of my own knowledge, except as to those matters which are therein stated on information and belief, and as to those matters I believe them to be true.

By:   
Name: Michael Berg  
Title: President

Sworn to and subscribed before me, Notary Public, in and for the State and County named above, this 30 day of October, 2013.

  
Notary Public

My commission expires: 1-5-17

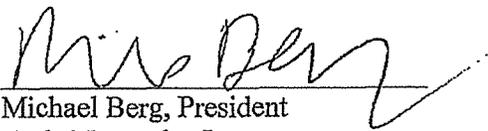


State of New York

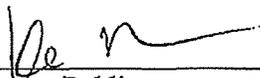
County of Nassau

**AFFIDAVIT**

The applicant below certifies that neither applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance.

By:   
Michael Berg, President  
Voda Networks, Inc.

Sworn to and subscribed before me this  
30 day of October, 2013

  
Notary Public

My commission expires 1-5-17



State of New York

County of Nassau

**AFFIDAVIT**

The applicant below certifies that neither applicant nor any other party to the application is subject to a denial of Federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Act of 1988, 21U.S.C. Section 862, because of a conviction for possession or distribution of a controlled substance.

By: Christine Rizzuto  
Christine Rizzuto, Chief Financial  
Officer  
Voda Networks, Inc.

Sworn to and subscribed before me this  
30 day of October, 2013

[Signature]  
Notary Public



My commission expires 1-5-17.

STATE OF New York  
COUNTY OF Nassau

VERIFICATION

I, Christine Rizzuto, am the Chief Operating Officer of Voda Networks, Inc., and am authorized to make this verification on its behalf. The statements made in the foregoing Application are true of my own knowledge, except as to those matters which are therein stated on information and belief, and as to those matters I believe them to be true.

By: Christine Rizzuto  
Name: Christine Rizzuto  
Title: Chief Operating Officer

Sworn to and subscribed before me, Notary Public, in and for the State and County named above, this 30 day of October, 2013.

[Signature]  
Notary Public

My commission expires: 12/17



READ INSTRUCTIONS CAREFULLY  
BEFORE PROCEEDING

FEDERAL COMMUNICATIONS COMMISSION  
REMITTANCE ADVICE  
FORM 159

Approved by OMB  
3066-0589  
Page No. 1 of 2

(1) LOCKBOX#		SPECIAL USE ONLY	
		FCC USE ONLY	
SECTION A - PAYER INFORMATION			
(2) PAYER NAME (if paying by credit card enter name exactly as it appears on the card) <b>Leon Nowalsky</b>		(3) TOTAL AMOUNT PAID (U.S. Dollars and cents) <b>\$1,050.00</b>	
(4) STREET ADDRESS LINE NO. 1 <b>1420 Veterans Blvd.</b>			
(5) STREET ADDRESS LINE NO. 2			
(6) CITY <b>Metairie</b>		(7) STATE <b>LA</b>	(8) ZIP CODE <b>70005</b>
(9) DAYTIME TELEPHONE NUMBER (include area code) <b>(504)832-1984</b>		(10) COUNTRY CODE (if not in U.S.A.)	
FCC REGISTRATION NUMBER (FRN) REQUIRED			
(11) PAYER (FRN) <b>000565958</b>		(12) FCC USE ONLY	
IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C) COMPLETE SECTION BELOW FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET			
(13) APPLICANT NAME <b>Voda Networks, Inc.</b>			
(14) STREET ADDRESS LINE NO. 1 <b>6800 Jericho Turnpike</b>			
(15) STREET ADDRESS LINE NO. 2			
(16) CITY <b>Syosset</b>		(17) STATE <b>NY</b>	(18) ZIP CODE <b>11791</b>
(19) DAYTIME TELEPHONE NUMBER (include area code) <b>516-740-6600</b>		(20) COUNTRY CODE (if not in U.S.A.)	
FCC REGISTRATION NUMBER (FRN) REQUIRED			
(21) APPLICANT (FRN) <b>0014851448</b>		(22) FCC USE ONLY	
COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET			
(23A) CALL SIGN/OTHER ID	(24A) PAYMENT TYPE CODE <b>CUT</b>	(25A) QUANTITY	
(26A) FEE DUE FOR (PTC)	(27A) TOTAL FEE <b>\$1,050.00</b>	FCC USE ONLY	
(28A) FCC CODE 1	(29A) FCC CODE 2		
(23B) CALL SIGN/OTHER ID	(24B) PAYMENT TYPE CODE	(25B) QUANTITY	
(26B) FEE DUE FOR (PTC)	(27B) TOTAL FEE	FCC USE ONLY	
(28B) FCC CODE 1	(29B) FCC CODE 2		
SECTION D - CERTIFICATION			
CERTIFICATION STATEMENT I, <u>Leon Nowalsky</u> , certify under penalty of perjury that the foregoing and supporting information is true and correct to the best of my knowledge, information and belief.			
SIGNATURE <u>Leon Nowalsky</u>		DATE <u>11-13-2013</u>	

FEDERAL COMMUNICATIONS COMMISSION  
REMITTANCE ADVICE (CONTINUATION SHEET)  
FORM 159-C

SPECIAL USE  
FCC USE ONLY

Page No 2 of 2

USE THIS SECTION ONLY FOR EACH ADDITIONAL APPLICANT  
SECTION BB - ADDITIONAL APPLICANT INFORMATION

(13) APPLICANT NAME <b>Michael Berg</b>		
(14) STREET ADDRESS LINE NO. 1 <b>329 Broadway, Apt. D</b>		
(15) STREET ADDRESS LINE NO. 2		
(16) CITY <b>Bethpage</b>	(17) STATE <b>NY</b>	(18) ZIP CODE <b>11714</b>
(19) DAYTIME TELEPHONE NUMBER (include area code) <b>516-740-6600</b>	(20) COUNTRY CODE (if not in U.S.A.)	
FCC REGISTRATION NUMBER (FRN) REQUIRED		
(21) APPLICANT (FRN) <b>0023123730</b>	(22) FCC USE ONLY	
COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET		
(23A) CALL SIGN/OTHER ID	(24A) PAYMENT TYPE CODE	(25A) QUANTITY
(26A) FEE DUE FOR (FTC)	(27A) TOTAL FEE	FCC USE ONLY
(28A) FCC CODE 1	(29A) FCC CODE 2	
(23B) CALL SIGN/OTHER ID	(24B) PAYMENT TYPE CODE	(25B) QUANTITY
(26B) FEE DUE FOR (FTC)	(27B) TOTAL FEE	FCC USE ONLY
(28B) FCC CODE 1	(29B) FCC CODE 2	
(23C) CALL SIGN/OTHER ID	(24C) PAYMENT TYPE CODE	(25C) QUANTITY
(26C) FEE DUE FOR (FTC)	(27C) TOTAL FEE	FCC USE ONLY
(28C) FCC CODE 1	(29C) FCC CODE 2	
(23D) CALL SIGN/OTHER ID	(24D) PAYMENT TYPE CODE	(25D) QUANTITY
(26D) FEE DUE FOR (FTC)	(27D) TOTAL FEE	FCC USE ONLY
(28D) FCC CODE 1	(29D) FCC CODE 2	
(23E) CALL SIGN/OTHER ID	(24E) PAYMENT TYPE CODE	(25E) QUANTITY
(26E) FEE DUE FOR (FTC)	(27E) TOTAL FEE	FCC USE ONLY
(28E) FCC CODE 1	(29E) FCC CODE 2	
(23F) CALL SIGN/OTHER ID	(24F) PAYMENT TYPE CODE	(25F) QUANTITY
(26F) FEE DUE FOR (FTC)	(27F) TOTAL FEE	FCC USE ONLY
(28F) FCC CODE 1	(29F) FCC CODE 2	

FEDERAL COMMUNICATIONS COMMISSION REMITTANCE ADVICE (CONTINUATION SHEET) FORM 159-C		SPECIAL USE
Page No 3 of 4		FCC USE ONLY
USE THIS SECTION ONLY FOR EACH ADDITIONAL APPLICANT SECTION BB- ADDITIONAL APPLICANT INFORMATION		
(13) APPLICANT NAME <b>Christine Rizzuto</b>		
(14) STREET ADDRESS LINE NO. 1 <b>11 Olympia Place</b>		
(15) STREET ADDRESS LINE NO. 2		
(16) CITY <b>East Northport</b>	(17) STATE <b>NY</b>	(18) ZIP CODE <b>11731</b>
(19) DAYTIME TELEPHONE NUMBER (include area code) <b>516-740-6600</b>	(20) COUNTRY CODE (if not in U.S.A.)	
FCC REGISTRATION NUMBER (FRN) REQUIRED		
(21) APPLICANT (FRN) <b>00023123706</b>	(22) FCC USE ONLY	
COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET		
(23A) CALL SIGN/OTHER ID	(24A) PAYMENT TYPE CODE	(25A) QUANTITY
(26A) FEE DUE FOR (PTC)	(27A) TOTAL FEE	FCC USE ONLY
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(23B) CALL SIGN/OTHER ID	(24B) PAYMENT TYPE CODE	(25B) QUANTITY
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(26E) FEE DUE FOR (PTC)	(27E) TOTAL FEE	FCC USE ONLY
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(26F) FEE DUE FOR (PTC)	(27F) TOTAL FEE	FCC USE ONLY
(28F) FCC CODE 1	(29F) FCC CODE 2	