



PUBLIC NOTICE

Federal Communications Commission
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Docket No. 10-00060

DA 10-583
Released: March 31, 2010

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE ACQUISITION OF ASSETS OF
COMTEL TELCOM ASSETS L.P. AND COMTEL VIRGINIA LLC
BY MATRIX TELECOM, INC. AND MATRIX TELECOM OF VIRGINIA, INC.**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 10-82

Comments Due: April 14, 2010
Reply Comments Due: April 21, 2010

On March 22, 2010, Matrix Telecom, Inc. (Matrix), Matrix Telecom of Virginia, Inc. (Matrix-VA), Comtel Telcom Assets LP (Comtel), and Comtel Virginia LLC (Comtel-VA) (collectively, Applicants) filed an application pursuant to section 63.03 of the Commission's rules¹ to transfer assets from Comtel and Comtel-VA to Matrix and Matrix-VA. Comtel, a Texas limited partnership, and Comtel-VA, a Virginia limited liability company and wholly owned subsidiary of Comtel, provide long distance services in 50 states and the District of Columbia. They provide competitive local exchange carrier (LEC) service in the District of Columbia and every state except Alaska, Connecticut, Hawaii, and Rhode Island. Matrix, a Texas corporation, and Matrix-VA, a Virginia corporation and wholly owned subsidiary of Matrix, offer competitive LEC services and long distance services in 50 states and the District of Columbia.² Matrix and Matrix-VA are affiliated with Americatel Corporation, Covad Communications Company, and DIECA Communications, Inc. that provide competitive telecommunications services in multiple states. Matrix is 100 percent owned by MTAC Holding Corporation, which is in turn 100 percent owned by EnergyTRACS Acquisition Corp. (EnergyTRACS). Both are U.S.-based holding companies. Platinum Equity, LLC, a U.S. based investment entity that is wholly owned by Tom T. Gores, a U.S. citizen, owns 100 percent of EnergyTRACS.

Pursuant to the terms of the proposed transaction, Matrix and Matrix-VA will acquire substantially all of the telecommunications customers and assets of Comtel and Comtel-VA. Applicants state that Matrix and Matrix-VA will replace Comtel and Comtel-VA as the service provider in all states. 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 Matrix does not provide competitive LEC service in Alaska.

³ 47 C.F.R. § 63.03(b)(2)(i).

GENERAL INFORMATION

The Wireline Competition Bureau finds, upon initial review, that the transfer of assets identified herein is 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 C.F.R. § 63.03(a), interested parties may file comments **on or before April 14, 2010**, and reply comments **on or before April 21, 2010**. 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-Parker, Competition Policy Division, Wireline Competition Bureau, tracey.wilson-parker@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.

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

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.

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-Parker at (202) 418-1394 or Jodie May at (202) 418-0913.

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