



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

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T.R.A. DOCKET ROOM

Docket No: 10-00137

DA 10-1563

Released: August 20, 2010

NOTICE OF REMOVAL OF DOMESTIC SECTION 214 APPLICATION FROM STREAMLINED TREATMENT

WC Docket No. 10-139

The Wireline Competition Bureau (Bureau) has removed the application listed in this notice from streamlined treatment pursuant to the Commission's streamlined procedures for domestic section 214 transfer of control applications.¹ Section 63.03(c)(1)(v) of the Commission's rules provides that, at any time after an application is filed, the Commission, acting through the Chief of the Bureau, may notify an applicant that its application is being removed from streamlined processing where the Commission "determines that the application requires further analysis to determine whether a proposed transfer of control would serve the public interest."²

Domestic Section 214 Application Filed for the Acquisition of Assets of DukeNet Communications, LLC by DukeNet OpCo, LLC, WC Docket No. 10-139, Public Notice, DA 10-1426 (rel. July 29, 2010).

On August 13, 2010, the Department of Justice, including the Federal Bureau of Investigation, with the concurrence of the Department of Homeland Security (collectively, the Executive Branch Agencies), filed a letter requesting that the Commission defer action on this application while they review potential national security, law enforcement, and public safety issues.³

The Bureau is removing this application from streamlined review in response to the request filed by the Executive Branch Agencies. Final action on this application should be expected once the Commission has received notification from the Executive Branch Agencies that the evaluation has been completed, but not later than 180 days from public notice that the application was accepted for filing.⁴

For further information, please contact Jodie May, Competition Policy Division, Wireline Competition Bureau, at (202) 418-0913.

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¹ 47 U.S.C. 214; 47 C.F.R. § 63.03; *Implementation of Further Streamlining Measures for Domestic Section 214 Authorizations*, CC Docket No. 01-150, Report and Order, 17 FCC Rcd 5517 (2002).

² See 47 C.F.R. § 63.03(c)(1)(v).

³ Letter from Tyrone Brown, U.S. Department of Justice, to Marlene H. Dortch, FCC, WC Docket No. 10-139 (filed Aug. 13, 2010).

⁴ See 47 C.F.R. § 63.03(c)(2).