

Verne, B. Michael

7A(c)(6)

From: [REDACTED]
Sent: Wednesday, October 24, 2007 10:24 PM
To: Verne, B. Michael
Subject: 7A(c)6 question

Hi, Mike - Is a transaction which requires FCC approval exempt from HSR reporting pursuant to 7A(c)(6)(provided the paperwork required by this section is filed with the FTC and AAG)? I can give a call if it's easier.

Thanks,

[REDACTED]

[REDACTED]

No. The only applicability of 7A(c)(6) to transactions requiring FCC approval was to mergers, consolidations and control acquisitions by telephone and telegraph companies (47 USC § 221(a)). The old editions of the Axxin Fogg treatise discuss this in the Exemptions section. That provision was subsequently repealed in 1996 (Pub. L. 104-104, title VI, Sec. 601(b)(2), Feb. 8, 1996, 110 Stat. 143).

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10/25/07