

Federal Communications Commission

§ 25.520

Commission to own shares of stock in the corporation.

§§ 25.503–25.504 [Reserved]

§ 25.505 Persons requiring authorization.

(a) No communications common carrier, as defined in §25.103(a), shall purchase, obtain, own, or otherwise hold at any time, either directly or indirectly through a subsidiary or affiliated company, nominee, person or other entity subject to its control or direction, shares of stock in the corporation created pursuant to the Communications Satellite Act of 1962 unless authorized to do so by the Commission.

(b) No individual, partnership, association, joint-stock company, trust, corporation, or other entity which owns or controls, directly or indirectly, or is under direct or indirect common control with, any such carrier, shall purchase, obtain, own, or otherwise hold, at any time, shares of stock in the corporation in its own name or right unless authorization previously shall have been obtained from the Commission by such entity or on behalf of such entity.

§§ 25.506–25.514 [Reserved]

§ 25.515 Method of securing authorization.

Any person, corporation, or other entity, described in §25.505, desiring authorization to purchase, obtain, own, or otherwise hold shares of stock in the corporation, shall file an application therefor with the Commission in accordance with §§ 25.520–25.525.

§§ 25.516–25.519 [Reserved]

§ 25.520 Contents of application.

Every request for authorization submitted under this subpart shall contain or incorporate the following information:

- (a) If applicant is a corporation:
 - (1) The name and address of the applicant.
 - (2) Place of incorporation.
 - (3) Names and addresses of directors of applicant.
 - (4) Names and addresses of applicant's ten principal stockholders and

percentages of stock of applicant owned by each.

(5) Names and addresses of principal officers of applicant and percentage of stock of applicant owned by each.

(6) A copy of applicant's annual report to stockholders for the last full year of its operations covered by such report.

(7) A copy of applicant's corporate charter. (If such charter is already on file with the Commission, applicant may so state.)

(8) Names and addresses of all companies in which applicant has financial interests, the nature and extent of such interests, and a description of the principal business and activities of such companies.

(9) Description of the intrastate, interstate, and foreign communication services rendered by applicant itself or jointly with other carriers, and the state or states or other political subdivisions in which applicant's operations are conducted.

(10) Statement of why applicant believes a grant of its application will be consistent with the public interest, convenience, and necessity.

(b) If applicant is an individual or business organization other than a corporation:

(1) Name and address of the applicant.

(2) Name and address of each person having a financial interest in the entity and a description of the nature and extent of such interest.

(3) Principal place of business of applicant.

(4) Copy of applicant's balance sheet and income statement for the last full year of applicant's operations.

(5) Description of the intrastate, interstate, and foreign communications services rendered by applicant itself or jointly with other carriers and the state or states or other political subdivisions in which applicant's operations are conducted.

(6) Statement of why applicant believes a grant of its application will be consistent with the public interest, convenience, and necessity.

(c) If application is made on behalf of any entity other than the applicant itself, the application shall so state

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and shall include or incorporate the information for said entity specified in paragraph (a) or (b) of this section as appropriate.

§ 25.521 Who may sign applications.

(a) Except as provided in paragraph (b) of this section, every application or amendment thereto shall be personally signed by the applicant, if the applicant is an individual; by one of the partners, if the applicant is a partnership; by an officer if the applicant is a corporation; or by a member who is an officer, if the applicant is an unincorporated association.

(b) Applications and amendments thereto may be signed by the applicant's attorney in case of the applicant's physical disability, or in case the applicant does not reside in any of the contiguous 48 states of the United States or in the District of Columbia. The attorney shall in that event separately set forth the reason why the application is not signed by the applicant. In addition, if any matter is stated on the basis of the attorney's belief only (rather than his knowledge), he shall separately set forth his reasons for believing that such statements are true.

(c) Only the original of applications and amendments thereto need be signed; copies may be conformed.

(d) Applications and amendments thereto need not be signed under oath; however, willful false statements made therein, are punishable by fine and imprisonment, U.S. Code, Title 18, section 1001, and by appropriate administrative sanctions, including refusal or revocation of authorization to purchase, obtain, own, or otherwise hold shares of stock in the corporation.

§ 25.522 Full disclosures.

Each application shall contain full and complete disclosures with regard to the real party or parties in interest and as to all matters and things required to be disclosed in the application.

§ 25.523 Form of application, number of copies, fees, etc.

(a) The original application and five copies thereof shall be filed with the Commission. Each copy shall bear the

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dates and signatures that appear on the original and shall be complete in itself.

(b) All applications shall be on paper 8 by 10½ inches with left hand margin not less than 1½ inches wide. The impression shall be on one side of the paper only and shall be double spaced. All applications and accompanying papers, except charts, shall be typewritten or prepared by mechanical processing methods. All copies must be clearly legible.

[28 FR 13037, Dec. 5, 1963, as amended at 52 FR 5294, Feb. 20, 1987]

§ 25.524 [Reserved]

§ 25.525 Action upon applications.

No application filed under this subpart will be granted by the Commission earlier than 20 days following issuance of public notice by the Commission of the acceptance for filing of such application or any substantial amendment thereto. Any interested party may file comments with respect to the application (or amendment thereto) within this 20-day period. Such comments must also be served on the applicant who shall be afforded 10 days in which to file reply comments. If upon examination of any such application (or amendment thereto) together with any comments filed with respect thereto the Commission is unable to make a finding that a grant of authorization will be consistent with the public interest, convenience, and necessity, it will deny the application or institute such further proceedings as in its discretion appear appropriate.

§ 25.526 Amendments.

The Commission may at any time order or require the applicant to amend his application so as to make it more definite and certain or to submit such additional documents, or statements, as in the judgment of the Commission may be necessary.

§ 25.527 Defective applications.

(a) Applications not in accordance with the applicable rules in this chapter may be deemed defective and returned by the Commission without acceptance of such applications for filing and consideration.