



PUBLIC NOTICE

Federal Communications Commission
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DA 05-1086
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NONSTREAMLINED DOMESTIC SECTION 214 APPLICATION GRANTED

WC Docket No. 05-51

On March 1, 2005, the Wireline Competition Bureau issued a public notice seeking comment on the transfer of BellSouth's Milton and Gatewood exchanges to Madison River.¹

The Commission received one comment in opposition to the proposed transfer of control from Pay Tel Communications, Inc. ("Pay Tel"), a provider of telephone services to confinement facilities in North Carolina.² Pay Tel states that Madison River, through its subsidiary MebTel, Inc., has not made a billing and collection arrangement available to Pay Tel or its billing and collection clearinghouse, Billing Concepts, Inc.³ Pay Tel argues that the proposed transfer of control is not in the public interest because, without a billing and collection arrangement, it will not be able to continue offering services to its customers.⁴ Pay Tel requests that the Commission deny the proposed transfer of control or, in the alternative, require that Madison River enter into a billing and collection agreement with Pay Tel or its clearinghouse on commercially reasonable terms substantially similar to the agreement Pay Tel has with BellSouth.⁵

Madison River states that Pay Tel's concerns have been addressed because Madison River has instructed its billing and collection clearinghouse service provider, Verisign, to unblock the Carrier Identification Codes which will enable Madison River to bill the calls in question in the Milton and Gatewood exchanges.⁶ Madison River indicates that Pay Tel was

¹ Domestic Section 214 Application Filed For Transfer of Control of BellSouth's Milton and Gatewood Exchanges to Madison River Telephone Company, LLC, WC Docket No. 05-51, DA 05-521 (rel. March 1, 2005).

² See Opposition of Pay Tel Communications, Inc., WC Docket No. 05-51 (filed March 15, 2005) ("Pay Tel Comments").

³ Pay Tel Comments at 2.

⁴ *Id.*

⁵ *Id.*

⁶ See Reply to Opposition of Madison River Telephone Company, LLC, WC Docket No. 05-51 (filed March 22, 2005) ("Madison River Reply Comments"). Madison River also argues that Pay Tel would be able to

satisfied with this resolution, subject to Pay Tel's review of the relevant materials.⁷ Madison River subsequently filed an *ex parte*, attaching an email from Pay Tel indicating that its billing and collection issues had been resolved to Pay Tel's satisfaction.⁸

After careful consideration of the record in this proceeding, we conclude that grant of the proposed transaction is in the public interest and should be granted accordingly. For purposes of computation of time for filing a petition for reconsideration or application for review, or for judicial review of the Commission's decision, the date of "public notice" shall be the release date of this notice.⁹ For further information, please contact Kimberly Jackson, Competition Policy Division, Wireline Competition Bureau, at (202) 418-7393.

bill calls itself by obtaining Billing Name and Address Service which Madison River offers to interstate service providers under Section 13.9 of the National Exchange Carrier Association, Inc. *See* Madison River Reply Comments at 2. Additionally, Madison River states that because local exchange carriers are not required to bill for interexchange carriers, the absence of such service is not relevant to the transfer of control. *Id.*

⁷ Madison River Reply Comments at 2.

⁸ *See* Letter from David Cosson, counsel for Madison River Telephone Company, Inc. to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 05-51 (filed March 30, 2005), Attach. at 1-2.

⁹ *See* 47 C.F.R. § 1.4 (computation of time).