



PUBLIC NOTICE

Federal Communications Commission
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DA 07-3886
Released: September 11, 2007

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL
OF HUTCHINSON TELEPHONE COMPANY AND
HUTCHINSON TELECOMMUNICATIONS, INC. TO NEW ULM TELECOM, INC.**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 07-196

Comments Due: September 25, 2007
Reply Comments Due: October 2, 2007

The following application was filed pursuant to section 63.03 of the Commission's rules requesting approval to transfer control of Hutchinson Telephone Company ("Hutchinson") and its wholly-owned subsidiary, Hutchinson Telecommunications, Inc. ("HTI"), from the current shareholders of Hutchinson to New Ulm Telecom, Inc. ("New Ulm").¹ Hutchinson, a Minnesota corporation, is an incumbent local exchange carrier ("incumbent LEC") in and around the community of Hutchinson in McLeod, Meeker, and Renville counties in rural south central Minnesota. HTI, also a Minnesota corporation, provides competitive local exchange service in competition with Qwest in Litchfield in Meeker County, Minnesota. HTI also provides resold interstate toll services in Litchfield and in Hutchinson's local exchange service area.² New Ulm, a publicly-traded Minnesota corporation, is an incumbent LEC and provides resold interstate toll services in the rural southern Minnesota communities of New Ulm (Brown County), Courtland (Nicollet County), Essig (Brown County), Klossner (Nicollet County), and Searles (Brown County). New Ulm has two wholly-owned incumbent LEC subsidiaries: Western Telephone Company, a Minnesota corporation that provides local exchange and resold interstate toll services in Springfield (Brown County) and Sanborn (Redwood County), Minnesota, and Peoples Telephone Company, an Iowa corporation that provides local exchange and resold interstate toll services in Aurelia, Iowa.³

¹ 47 C.F.R. § 63.03; *see* 47 U.S.C. § 214. Applicants are also filing applications for the transfer of control associated with authorization for international services and radio licenses. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications.

² Applicants state that Hutchinson also holds a 33.33 percent ownership interest in En-Tel Communications, LLC, which provides competitive telecommunications services in Wilmar, Minnesota. Hutchinson also has several other communications affiliates that provide wireless and other services in the U.S.

³ Applicants state that New Ulm holds a 33.33 percent ownership interest in Hector Communications Corporation ("Hector"), which has incumbent LEC subsidiaries operating in 28 rural exchanges in Minnesota, Wisconsin, and

The proposed transaction entails the transfer of control of Hutchinson and HTI from Hutchinson's 77 existing shareholders to New Ulm. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(iii) of the Commission's rules and that a grant of the application will serve the public interest, convenience, and necessity.⁴

Application Filed for the Transfer of Control of Hutchinson Telephone Company and Hutchinson Telecommunications, Inc. to New Ulm Telecom, Inc., WC Docket No. 07-196 (filed Sept 5, 2007).

GENERAL INFORMATION

The transfer of control identified herein has been found, upon initial review, to be acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer of control 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 CFR § 63.03(a), interested parties may file comments **on or before September 25, 2007**, and reply comments **on or before October 2, 2007**. Unless otherwise notified by the Commission, Applicants are permitted to transfer control on the 31st day after the date of this notice.⁵ Comments may be filed using: (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/> or the Federal eRulemaking 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.

North Dakota. New Ulm also provides competitive local exchange and resold interstate toll services in Redwood Falls, Minnesota where Qwest is the incumbent LEC. New Ulm has several other telecommunications affiliates that provide services in Minnesota, Wisconsin, North Dakota, and South Dakota. Applicants state that the local exchange service areas of Hutchinson and HTI are not overlapping or adjacent with the service areas of New Ulm and its subsidiaries or with the service areas of Hector and its subsidiaries.

⁴ 47 C.F.R. § 63.03(b)(2)(iii).

⁵ Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.

- Paper Filers: Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington D.C. 20554.

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).

In addition, one copy of each pleading must be sent to each of the following:

- 1) The Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, www.bcpweb.com; phone: (202) 488-5300 fax: (202) 488-5563;
- 2) Tracey Wilson-Parker, Competition Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-A103, Washington, D.C. 20554; email: tracey.wilson-parker@fcc.gov;
- 3) Jodie May, Competition Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-C234, Washington, D.C. 20554; e-mail: jodie.may@fcc.gov;
- 4) David Krech, Policy Division, International Bureau, 445 12th Street, S.W., Room 7-A664 Washington, D.C. 20554; email: david.krech@fcc.gov; and
- 5) Jim Bird, Office of General Counsel, 445 12th Street, S.W., Room 8-C824, Washington, D.C. 20554; e-mail: jim.bird@fcc.gov.

Filings and comments are also 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, or via e-mail www.bcpweb.com.

For further information, please contact Tracey Wilson-Parker at (202) 418-1394, or Jodie May at (202) 418-0913.

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