



# PUBLIC NOTICE

**Federal Communications Commission**  
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Washington, D.C. 20554

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**DA 08-2438**

**Released: October 30, 2008**

## **DOMESTIC SECTION 214 APPLICATION FILED FOR THE ACQUISITION OF ASSETS OF CHAMPION BROADBAND CALIFORNIA, LLC BY CBC BROADBAND HOLDINGS, LLC**

### **STREAMLINED PLEADING CYCLE ESTABLISHED**

**WC Docket No. 08-216**

**Comments Due: November 13, 2008**

**Reply Comments Due: November 20, 2008**

On October 24, 2008, Champion Broadband California, LLC (Champion) and CBC Broadband Holdings, LLC (CBC) (collectively, Applicants) filed an application pursuant to section 63.03 of the Commission's rules for the transfer of Champion's operating assets from Champion to CBC.<sup>1</sup>

Champion, a Wyoming limited liability company, offers competitive local exchange and interexchange telecommunications services to customers in and around the cities of Arcadia and Monrovia, California. CBC, a Delaware limited liability company, does not currently engage in carrier operations or have any affiliation with any carrier.<sup>2</sup>

Pursuant to an Asset Purchase Agreement, CBC will acquire, subject to certain limited exceptions, the customer base, network facilities, licenses, franchises, goodwill, and other tangible and intangible assets that are used by Champion for the delivery of local exchange and interexchange telecommunications services.

Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under 63.03(b)(1)(ii) of the Commission's rules and that a grant of the application will serve the public

<sup>1</sup> 47 C.F.R. § 63.03; see 47 U.S.C. § 214. Applicants have also filed an application for international services. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications. Applicants filed a supplement to their application on October 30, 2008.

<sup>2</sup> The following U.S. citizens and entities hold a 10% or greater direct ownership or control interest in CBC: Scorpion Capital Partners, LP (32%); Greenwoods Capital Partners I, LP (32%); and IG US Telecom, LLC (16%). Scorpion Capital Partners, LP is controlled by a single general partner, Scorpion GP LLC (32%). Scorpion GP LLC is controlled by two individuals: Nuno Brandolini (32%) and Kevin McCarthy (32%). Greenwoods Capital Partners I, LP is controlled by a single general partner, Greenwoods Management Company, LLC (32%). Greenwoods Management Company, LLC is controlled by L. Keith Mullins (13.62% interest in Greenwoods Capital Partners I and 32% interest in CBC). IG US Telecom, LLC is controlled by Ruben Garcia (16%) and Albert Lemus (16%), each of whom holds a 50% ownership and control interest. Applicants state that there are no other persons who directly or indirectly own, control or can be attributed with ownership or control of, a 10 percent or greater ownership or control interest in CBC.

interest, convenience, and necessity.<sup>3</sup> As this transaction was solely a transfer of membership interests, it does not affect the transfer of any operating authority, assets, or customers.

Domestic Section 214 Application Filed for the Acquisition of Assets of Champion  
Broadband California, LLC to CBC Broadband Holdings, LLC, WC Docket No. 08-216  
(filed October 24, 2008).

## **GENERAL INFORMATION**

The Wireline Competition Bureau finds, upon initial review, that the transfer of control identified herein is 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 C.F.R. § 63.03(a), interested parties may file comments **on or before November 13, 2008**, and reply comments **on or before November 20, 2008**. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31<sup>st</sup> day after the date of this notice.<sup>4</sup> Comments must be filed electronically using (1) the Commission's Electronic Comment Filing System (ECFS) or (2) the Federal Government's e-Rulemaking Portal. See 47 C.F.R. § 63.03(a) ("All comments on streamlined applications shall be filed electronically . . ."); *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Comments may be filed electronically using the Internet by accessing the ECFS, <http://www.fcc.gov/cgb/ecfs/>, or the Federal e-Rulemaking 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](mailto: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.

**In addition, e-mail one copy of each pleading to each of the following:**

- 1) The Commission's duplicating contractor, Best Copy and Printing, Inc., [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com); phone: 202 / 488-5300; fax: 202 / 488-5563;
- 2) Tracey Wilson-Parker, Competition Policy Division, Wireline Competition Bureau, [tracey.wilson-parker@fcc.gov](mailto:tracey.wilson-parker@fcc.gov);
- 3) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, [dennis.johnson@fcc.gov](mailto:dennis.johnson@fcc.gov);

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<sup>3</sup> 47 C.F.R. § 63.03(b)(1)(ii).

<sup>4</sup> Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.

- 4) David Krech, Policy Division, International Bureau, david.krech@fcc.gov; and
- 5) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

Filings and comments are 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; e-mail: fcc@bcpiweb.com; url: www.bcpiweb.com.

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For further information, please contact Tracey Wilson-Parker at 202 / 418-1394 or Dennis Johnson at 202 / 418-0809.

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