



# PUBLIC NOTICE

Federal Communications Commission  
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Washington, D.C. 20554

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DA 08-42

Released: January 8, 2008

## DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF EVEREST MIDWEST LLC FROM SEAPORT ASSOCIATES III, LLC TO SUREWEST COMMUNICATIONS

### STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 07-300

Comments Due: January 22, 2008

Reply Comments Due: January 29, 2008

Pursuant to section 63.03 of the Commission's rules, Seaport Associates III, LLC (Seaport) and SureWest Communications (SureWest) (collectively, Applicants) request consent to transfer control of Everest Midwest, LLC (Everest Midwest) from Seaport to SureWest.<sup>1</sup> Everest Midwest, a Delaware limited liability company, is an indirect wholly owned subsidiary of Everest Broadband, Inc., also a Delaware corporation. Seaport, a Delaware limited liability company, and its affiliated entities hold a 10 percent or greater equity interest in Everest Broadband. Everest Midwest provides competitive local exchange and interexchange services in Johnson County, Kansas and Jackson County, Missouri. SureWest's wholly owned subsidiaries, SureWest Telephone, SureWest Long Distance, and SureWest TeleVideo, provide incumbent local exchange, competitive local exchange, and interexchange services in portions of Sacramento, Placer, El Dorado, and Yolo Counties in California. Applicants state that no person or entity owns 10 percent or more of the equity of SureWest, a publicly held California corporation. Pursuant to the terms of the proposed transaction, SureWest will purchase 100 percent of the issued and outstanding capital stock of Everest Broadband. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(ii) of the Commission's rules and that a grant of the application will serve the public interest, convenience, and necessity.<sup>2</sup>

Domestic Section 214 Application Filed for the Transfer of Control of Everest Midwest, LLC from Seaport Associates III, LLC to SureWest Communications, WC Docket No. 07-300 (filed Dec. 19, 2007).

<sup>1</sup> 47 C.F.R. § 63.03; *see* 47 U.S.C. § 214. Applicants are also filing applications for transfer of control associated with authorization for international services and an earth station registration. 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 domestic section 214 application on January 4, 2008.

<sup>2</sup> 47 C.F.R. § 63.03(b)(2)(ii).

## **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 January 22, 2008**, and reply comments **on or before January 29, 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>3</sup> Comments must be filed electronically using (1) the Commission's Electronic Comment Filing System (ECFS) or (2) the Federal Government's eRulemaking 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 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](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, email 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) Jodie May, Competition Policy Division, Wireline Competition Bureau, [jodie.may@fcc.gov](mailto:jodie.may@fcc.gov);
- 4) David Krech, International Bureau, Policy Division, International Bureau, [david.krech@fcc.gov](mailto:david.krech@fcc.gov)
- 5) Jim Bird, Office of General Counsel, [jim.bird@fcc.gov](mailto: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; email: [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com); url: [www.bcpiweb.com](http://www.bcpiweb.com).

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<sup>3</sup> Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.

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

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