



PUBLIC NOTICE

Federal Communications Commission
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News Media Information 202 / 418-0500
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DA 09-1214
Released: May 29, 2009

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF
MIDCONTINENT COMMUNICATIONS FROM N.L. BENTSON
TO THE ESTATE OF N.L. BENTSON**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 09-73

Comments Due: June 12, 2009
Reply Comments Due: June 19, 2009

On May 12, 2009, N.L. Bentson and the Estate of N.L. Bentson (Applicants) filed an application pursuant to section 63.03 of the Commission's rules¹ seeking approval for the transfer of control of Midcontinent Communications (Midcontinent) from Mr. Bentson (deceased) to the Estate of N.L. Bentson. Midcontinent, a South Dakota general partnership, provides competitive local exchange and interexchange services in North Dakota, South Dakota, and portions of western Minnesota. The following U.S. based entities own directly or indirectly at least 10 percent of the equity of Midcontinent: Midcontinent Communications Investor, LLC (50 percent) and TCI-Midcontinent, LLC (50 percent).² Midcontinent Communications Investor, LLC is wholly owned by Midcontinent Media, Inc., a Minnesota limited liability company. Prior to his death, Mr. Bentson, a U.S. citizen, owned 95.81 percent of the equity of Midcontinent Media, Inc. Applicants state that the proposed transaction involves the transfer of Mr. Bentson's indirect interest in Midcontinent to his Estate by operation upon his death. George Reilly, a U.S. citizen, is the personal representative of the Estate of N.L. Bentson. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(i) of the Commission's rules and that a grant of the application will serve the public interest, convenience, and necessity.³

Domestic Section 214 Application Filed for the Transfer of Control of Midcontinent Communications from N.L. Bentson to the Estate of N.L. Benston, WC Docket No. 09-73 (filed May 12, 2009).

¹ 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 and other 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 domestic section 214 application on May 28, 2009.

² TCI-Midcontinent, LLC is wholly owned by Comcast Corporation, a publicly traded Pennsylvania corporation with no 10 percent or greater owners.

³ 47 C.F.R. § 63.03(b)(2)(i).

GENERAL INFORMATION

The transfer of assets 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 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 June 12, 2009**, and reply comments **on or before June 19, 2009**. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.⁴ 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 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; phone: (202) 488-5300; fax: (202) 488-5563;
- 2) Tracey Wilson-Parker, Competition Policy Division, Wireline Competition Bureau, tracey.wilson-parker@fcc.gov;
- 3) Jodie May, Competition Policy Division, Wireline Competition Bureau, jodie.may@fcc.gov;
- 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.

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).

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

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

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