

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

In the Matter of)	File No. EB-08-IH-0976
)	
)	Acct. No. 200932080048
Hiawatha Broadband Communications, Inc.)	
)	FRN No. 0003785318

ORDER

Adopted: June 10, 2009

Released: June 10, 2009

By the Investigations & Hearings Division, Enforcement Bureau:

1. In this Order, we adopt the attached Consent Decree entered into between the Enforcement Bureau (“Bureau”) and Hiawatha Broadband Communications, Inc. (“Hiawatha”). The Consent Decree terminates an investigation by the Bureau against Hiawatha for possible violations of section 214(a) of the Communications Act of 1934, as amended (the “Act”),¹ relating to the construction, acquisition, and operation of transmission lines; sections 63.03 and 63.04 of the Commission’s rules,² relating to procedures for the assignment or transfer of control of domestic transmission lines or section 214 authorizations; and section 63.24 of the Commission’s rules, relating to procedures for the assignment or transfer of control of international section 214 authorizations.³

2. The Bureau and Hiawatha have negotiated the terms of the Consent Decree that resolve this matter. A copy of the Consent Decree is attached hereto and incorporated by reference.

3. After reviewing the terms of the Consent Decree and evaluating the facts before us, we find that the public interest would be served by adopting the Consent Decree and terminating the investigation.

4. In the absence of material new evidence relating to this matter, we conclude that our investigation raises no substantial or material questions of fact as to whether Hiawatha possesses the basic qualifications, including those related to character, to hold or obtain any Commission license or authorization.

5. Accordingly, **IT IS ORDERED** that, pursuant to section 4(i) of the Act⁴ and sections 0.111 and 0.311 of the Commission’s rules,⁵ the Consent Decree attached to this Order **IS ADOPTED**.

6. **IT IS FURTHER ORDERED** that the above-captioned investigation **IS TERMINATED**.

¹ 47 U.S.C. § 214(a).

² 47 C.F.R. §§ 63.03, 63.04.

³ 47 C.F.R. § 63.24.

⁴ 47 U.S.C. § 154(i).

⁵ 47 C.F.R. §§ 0.111, 0.311.

7. **IT IS FURTHER ORDERED** that a copy of this Order and Consent Decree shall be sent by first class mail and certified mail, return receipt requested, to David H. Solomon, Counsel for Hiawatha Broadband Communications, Inc., Wilkinson Barker Knauer, LLP, 2300 N Street, N.W., Suite 700, Washington, DC 20037-1128.

FEDERAL COMMUNICATIONS COMMISSION

Hillary S. DeNigro
Chief, Investigations & Hearings Division
Enforcement Bureau