



# PUBLIC NOTICE

Federal Communications Commission  
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DA 09-1355  
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## DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF COMPUTER PRO INC. D/B/A CP TELECOM TO HICKORY TECH CORPORATION

### STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 09-103

**Comments Due: July 2, 2009**

**Reply Comments Due: July 9, 2009**

On June 10, 2009, Computer Pro Inc. d/b/a CP Telecom (CP Telecom) and Hickory Tech Corporation (Hickory Tech, and together with CP Telecom, Applicants) filed an application pursuant to section 63.03 of the Commission's rules<sup>1</sup> seeking approval to transfer control of CP Telecom to Hickory Tech. CP Telecom, a Minnesota corporation, is a competitive local exchange carrier (LEC) and long distance provider in Minnesota. Hickory Tech, a publicly-traded Minnesota corporation that Applicants state has no 10 percent or greater owners, has affiliates that provide incumbent LEC and competitive LEC services. It has the following incumbent LEC affiliates: Mankato Citizens Telephone Company, providing service in Mankato, Minnesota; Heartland Telecommunications Company of Iowa, providing service in portions of Iowa, South Dakota, and in N. Rock Rapids, Minnesota; and Mid-Communications, Inc. providing service in Amboy, Cambria, Eagle Lake, Garden City, Good Thunder, Lake Crystal, Madison Lake, Mapleton, Pemberton, St. Clair, and Vernon Center, Minnesota. Applicants state that CP Telecom does not provide service in these geographic areas in which the incumbent LEC affiliates of Hickory Tech operate. Hickory Tech's wholly owned subsidiary, Crystal Communications, Inc., is a competitive LEC in Minnesota and Iowa and also provides long distance and private line services there. Hickory Tech's other wholly-owned subsidiary, Enventis Telecom, Inc., provides telecommunications services to business customers primarily in Minnesota, Wisconsin, Iowa, North Dakota, and South Dakota.<sup>2</sup>

Pursuant to the terms of the proposed transaction. Hickory Tech will purchase all of the issued and outstanding capital stock of CP Telecom and will become the new direct parent company of CP Telecom. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment

<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. 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 June 18, 2009.

<sup>2</sup> Applicants state that Enventis Telecom, Inc. provides service in some of the same serving areas as CP Telecom in Minnesota. Enventis Telecom, Inc. also provides interconnected Voice over Internet Protocol services in multiple states.

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>3</sup>

Domestic Section 214 Application Filed for the Transfer of Control of Computer Pro Inc. d/b/a CP Telecom and Hickory Tech Corporation, WC Docket No. 09-103 (filed June 10, 2009).

## **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 July 2, 2009**, and reply comments **on or before July 9, 2009**. 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) Jodie May, Competition Policy Division, Wireline Competition Bureau, [jodie.may@fcc.gov](mailto:jodie.may@fcc.gov);
- 4) David Krech, Policy Division, International Bureau, [david.krech@fcc.gov](mailto:david.krech@fcc.gov); and
- 5) Jim Bird, Office of General Counsel, [jim.bird@fcc.gov](mailto:jim.bird@fcc.gov).

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<sup>3</sup> 47 C.F.R. § 63.03(b)(2)(ii).

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

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](mailto:fcc@bcpiweb.com); url: [www.bcpiweb.com](http://www.bcpiweb.com).

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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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