



PUBLIC NOTICE

Federal Communications Commission
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DA 09-1729
Released: July 31, 2009

NOTICE OF NON-STREAMLINED DOMESTIC SECTION 214 APPLICATION GRANTED

WC Docket No. 09-79

Pursuant to section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and sections 0.91, 0.291, and 63.03 of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 63.03, the Wireline Competition Bureau (Bureau) approves the application of D&E Communications, Inc. (D&E) and Windstream Corporation (Windstream) to transfer control of D&E and its wholly owned subsidiaries, to Windstream.¹ No commenters opposed grant of the application.

The Bureau finds, upon consideration of the record, that the proposed transfer will serve the public interest, convenience, and necessity and, therefore, grants the requested authorization.² Pursuant to section 1.103 of the Commission's rules, 47 C.F.R. § 1.103, the consent granted herein is effective upon the release of the Public Notice. Petitions for reconsideration under section 1.106 or applications for review under section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of this Public Notice.

Applications Filed for the Transfer of Control of D&E Communications, Inc. to Windstream Corporation, WC Docket No. 09-79, Public Notice, DA 09-1289 (rel. June 5, 2009).

For further information, please contact Tracey Wilson-Parker at (202) 418-1394 or Dennis Johnson at (202) 418-0809, Competition Policy Division, Wireline Competition Bureau.

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¹ See *Applications Filed for the Transfer of Control of D&E Communications, Inc. to Windstream Corporation*, WC Docket No. 09-79, Public Notice, DA 09-1289 (rel. June 5, 2009).

² See *Joint Applications of Global Crossing Ltd. and Citizens Communications Company for Authority to Transfer Control of Corporations Holding Commission Licenses and Authorizations Pursuant to Sections 214 and 310(d) of the Communications Act and Parts 20, 22, 63, 78, 90, and 101 of the Commission's Rules*, Memorandum Opinion and Order, 16 FCC Red 8507, 8511-14 (CCB/IB/CSB/WTB 2001) (granting transfer of control involving incumbent local exchange carriers with adjacent exchanges where merger would provide service efficiencies); *XO Communications, Inc. for Consent to Transfer Control of Licenses and Authorizations Pursuant to Section 214 and 310(d) of the Communications Act and Petition for Declaratory Ruling Pursuant to Section 310(b)(4) of the Communications Act*, IE Docket No. 02-50, 17 FCC Red 19212, 19225, para. 30 (IB/WTB/WCB 2002) (finding no anticompetitive effects resulting from the combined operation of two competitive local exchange carriers because of the presence of other competitors and the transaction being in the public interest).