



PUBLIC NOTICE

Federal Communications Commission
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DA 09-2394

Released: November 6, 2009

NOTICE OF NON-STREAMLINED DOMESTIC SECTION 214 APPLICATION GRANTED

WC Docket No. 09-172

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 Lexcom, Inc. (Lexcom) and Windstream Corporation to transfer control of Lexcom and its 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.

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

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¹ See *Domestic Section 214 Application Filed for the Transfer of Control of Lexcom, Inc. to Windstream Corporation*, WC Docket No. 09-172, Public Notice, DA 09-2173 (rel. Oct. 6, 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 Rcd 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); *Joint Applications of Telephone and Data Systems, Inc. and Chorus Communications, Ltd. For Authority to Transfer Control of Commission Licenses and Authorizations Pursuant to Sections 214 and 310(d) of the Communications Act and Parts 22, 63 and 90 of the Commission's Rules*, Memorandum Opinion and Order, 16 FCC Rcd 15293, 15296-99 (CCB/WTB 2001) (authorizing transfer of control involving an incumbent LEC and a competitive in-region provider of local exchange and exchange access services where overlap was limited and the transaction overall resulted in public interest benefits).