



# PUBLIC NOTICE

**Federal Communications Commission**  
**445 12<sup>th</sup> St., S.W.**  
**Washington, D.C. 20554**

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**DA 09-2400**

**Released: November 9, 2009**

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE  
ACQUISITION OF CERTAIN ASSETS OF IOWA TELECOMMUNICATIONS SERVICES,  
INC. BY WELLMAN COOPERATIVE TELEPHONE ASSOCIATION**

**STREAMLINED PLEADING CYCLE ESTABLISHED**

**WC Docket No. 09-195**

**Comments Due: November 23, 2009**

**Reply Comments Due: November 30, 2009**

On October 16, 2009, Wellman Cooperative Telephone Association (WCTA), and Iowa Telecommunications Services, Inc. d/b/a Iowa Telecom (Iowa Telecom) (collectively, the Applicants) hereby request approval for the transfer of one access line from Iowa Telecom to WCTA.<sup>1</sup>

WCTA, an Iowa cooperative, is an independent incumbent local exchange carrier (LEC) headquartered in Wellman, Iowa. WCTA currently provides local exchange and exchange access service, and other telecommunications services to the Wellman, Iowa community. No single party holds a ten percent or greater interest in WCTA.

Iowa Telecom, a publicly-traded Iowa corporation and incumbent LEC, currently provides local exchange and exchange access service, and other telecommunications services throughout the state of Iowa. To the best of its knowledge, no single party holds a ten percent or greater interest in Iowa Telecom.

Pursuant to the terms of the proposed transaction, WCTA has provided service to a customer in the Wellman exchange since December 1997 on an adjacent basis. That customer has requested an additional access line, and has expressed a desire to continue to receive service from the Wellman exchange. Accordingly, Petitioners have entered into an asset purchase agreement to transfer a very small area (only ¼ sq. miles) from the Williamsburg exchange to the Wellman exchange, which will result in the transfer of one access line from Iowa Telecom to WCTA. After consummation of the proposed transaction, WCTA will provide service to the acquired access line as the incumbent LEC.

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<sup>1</sup> 47 C.F.R § 63.03; *see* 47 U.S.C. § 214. Applicants are also filing an application for a transfer of control associated with authorization for international services. In addition, Applicants state that they have filed a joint petition with the Commission seeking a waiver of the definition of “study area” and “average schedule company” and to the extent necessary, Section 54.305 of the Commission’s rules. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications.

On May 19, 2009, the Iowa Utilities Board (Board) issued an order approving Applicants' request to amend their exchange boundary maps to transfer the subject access line from the Williamsburg exchange to the Wellman exchange.<sup>2</sup> In the order, the Board determined that the request was reasonable because the boundary revision was initiated by the request of an individual seeking service from WCTA, and that no other customers would be affected by the change.

Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(1)(iii) of the Commission's rules, and that a grant of the application will serve the public interest, convenience, and necessity.<sup>3</sup>

Application Filed for the Assignment of Assets of Iowa Telecommunications Services, Inc. to Wellman Cooperative Telephone Association, WC Docket No. 09-195 (filed October 16, 2009).

### **GENERAL INFORMATION**

The Wireline Competition Bureau finds, upon initial review, that the transfer of control identified herein is acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer of control 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 C.F.R. § 63.03(a), interested parties may file comments **on or before November 23, 2009**, and reply comments **on or before November 30, 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 eRulemaking 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 eRulemaking 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, email one copy of each pleading to each of the following:**

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<sup>2</sup> See IUB Docket Nos. SPU-2009-0004, TF-2009-0056, and TF-2009-0057.

<sup>3</sup> 47 C.F.R. § 63.03(b)(1)(iii).

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

- 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) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, [dennis.johnson@fcc.gov](mailto:dennis.johnson@fcc.gov);
- 4) David Krech, International Bureau, Policy Division, International Bureau, [david.krech@fcc.gov](mailto:david.krech@fcc.gov);
- 5) Jim Bird, Office of General Counsel, [jim.bird@fcc.gov](mailto: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; email: [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 Dennis Johnson at 202 / 418-0809.

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