



PUBLIC NOTICE

Federal Communications Commission
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DA 09-2508

Released: November 30, 2009

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE ACQUISITION OF CERTAIN
ASSETS OF PRAIRIE TELEPHONE CO., INC. D/B/A WESTERN IOWA NETWORKS
BY PANORA COMMUNICATIONS COOPERATIVE**

NON-STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 09-212

Comments Due: December 14, 2009

Reply Comments Due: December 21, 2009

On November 17, 2009, Prairie Telephone Co., Inc. d/b/a Western Iowa Networks (Prairie) and Panora Communications Cooperative (PCC) (together, Applicants) filed an application pursuant to sections 63.03 and 63.04 of the Commission's rules¹ to transfer a 2.1 square mile portion of Prairie's Yale, Iowa local telephone exchange to PCC.

The Applicants do not seek streamlined treatment for this application under section 63.03(b) of the Commission's rules.² Prairie, an Iowa corporation, is a rural incumbent local exchange carrier (LEC) serving approximately 940 access lines in three exchanges: the Yale exchange in Guthrie and Dallas Counties in central Iowa, the Farragut exchange in Fremont County in southwestern Iowa, and the Pacific Junction exchange in Mills County in southwestern Iowa. PCC, an Iowa cooperative association, is a rural incumbent LEC serving approximately 1,895 access lines in the Panora exchange in Guthrie and Dallas Counties. Applicants state that Prairie's Yale exchange is adjacent to PCC's Panora exchange. They further state that Prairie and PCC are incumbent LECs that have, in combination, far fewer than two percent of the nation's subscriber lines installed in the aggregate nationwide. Because of the adjacent service areas the Applicants have identified, this application is not entitled to presumptive streamlined treatment.

Prairie is wholly owned by Breda Telephone Corp., an Iowa corporation that provides incumbent LEC services in three exchanges in central and southwestern Iowa. Applicants state that no person or

¹ 47 C.F.R. §§ 63.03, 63.04; see 47 U.S.C. § 214. On July 15, 2009, Applicants filed a joint petition for waiver of the Part 36, 47 C.F.R. Part 36, study area boundary freeze to remove the 2.1 square mile area and approximately 35 access lines from Prairie's Iowa study area and include them in PCC's Iowa study area. *Joint Petition of Panora Communications Cooperative and Prairie Telephone Co, Inc. to Waive the Study Area Boundary Freeze as Codified in Part 36 of the Commission's Rules*, CC Docket No. 96-45, Public Notice, 24 FCC Rcd 10600 (WCB 2009). Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications or petitions.

² 47 C.F.R. § 63.03(b).

entity owns or controls more than five percent of Breda's common stock. Prairie also holds interests in several other telecommunications entities in Iowa.

PCC is a cooperative owned by approximately 1,630 member-owners. Applicants state that no person or entity owns or controls more than one percent of PCC's membership and voting interests. PCC resells long distance toll services and wireless calling plans to customers in and around its Panora exchange. Its affiliate, Panora Cooperative Cable Association, provides cable television services in the communities of Panora, Linden, and Yale in central Iowa.³

Pursuant to the terms of the proposed transaction, PCC will purchase the assets of Prairie's Yale, Iowa exchange within the 2.1 square mile area that is located on the north side of Lake Panorama primarily within the Lake Panorama Association, a private residential development in Guthrie County that surrounds Lake Panorama. The assets include approximately 35 residential access lines, associated telecommunications plant, customer accounts, and federal and state authorizations. PCC currently provides cable television and wireless Internet access service to these customers.

Applicants state that a grant of this application will serve the public interest, convenience, and necessity because PCC will be able to include the 2.1 square mile Lake Panorama area in its current fiber-to-the-home deployment. They further state that PCC will use its new facilities to provide basic and advanced telecommunications and information services, as well as to upgrade the quality and improve the reliability of services.

GENERAL INFORMATION

The transfer of assets identified herein has been found, upon initial review, to be acceptable for filing as a non-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 CFR § 63.03(a), interested parties may file comments **on or before December 14, 2009** and reply comments **on or before December 21, 2009**. Comments may be filed using: (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's e-Rulemaking Portal, or (3) by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Electronic Filers: 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, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

³ Guthrie Telecommunications Network, Inc., a wholly owned subsidiary of Panora Telecommunications, Inc. (PTI), provides competitive telecommunications services in and around the community of Guthrie Center in central Iowa. PTI provides Internet access services in the Bayard, Jamaica, and Bagley communities in central Iowa. PCC also has equity interests in other telecommunications entities in central Iowa.

- Paper Filers: Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington D.C. 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

In addition, one copy of each pleading must be sent to each of the following:

- 1) The Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, www.bcpweb.com; phone: (202) 488-5300 fax: (202) 488-5563;
- 2) Tracey Wilson-Parker, Competition Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-A103, Washington, D.C. 20554; e-mail: tracey.wilson-parker@fcc.gov;
- 3) Jodie May, Competition Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-C234, Washington, D.C. 20554; e-mail: jodie.may@fcc.gov; and
- 4) Jim Bird, Office of General Counsel, 445 12th Street, S.W., Room 8-C824, Washington, D.C. 20554; e-mail: jim.bird@fcc.gov.

Filings and comments are also 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, or via e-mail www.bcpweb.com.

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