



PUBLIC NOTICE

Federal Communications Commission
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DA 09-66
Released: January 16, 2009

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF
RICHMOND TELEPHONE COMPANY AND RICHMOND CONNECTIONS, INC.
TO CORNERSTONE TELEPHONE COMPANY, L.L.C.**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 09-5

Comments Due: January 30, 2009
Reply Comments Due: February 6, 2009

On January 12, 2009, Richmond Telephone Company (RTC) and its subsidiary, Richmond Connections, Inc. (RCI), and CornerStone Telephone Company, L.L.C. (CornerStone) (collectively, Applicants) filed an application pursuant to section 63.03 of the Commission's rules to transfer control of RTC and RCI to CornerStone.¹

RTC and RCI are Massachusetts corporations. RTC is a rural incumbent local exchange carrier (LEC) serving Richmond, Massachusetts in Berkshire County. RCI provides facilities-based and resold competitive local exchange services primarily in Berkshire County, Massachusetts outside the service area of RTC. It also provides long distance services to customers in RTC's service territory. CornerStone, a New York limited liability company, provides competitive local exchange, long distance, and other services in Pennsylvania, Massachusetts, New York, and New Jersey. Applicants state that RCI and CornerStone both currently provide competitive services in Pittsfield, Massachusetts, which they state is the only geographic area in which the Applicants overlap. CornerStone serves 62 business customers in Pittsfield, and RCI serves 391 business customers and 726 residential customers. Applicants assert that there are multiple competitive carriers in Pittsfield, in addition to the incumbent LEC, Verizon Communications.

The following U.S. citizens own at least 10 percent of the equity of CornerStone: Daniel Yamin (15.75%), Donald Walsh (15.75%), Stanley D. Russell (13.15%), Jack A. Overton, Jr. (13.15%), and Jeffrey S. Doerr (13.15%). Pursuant to the terms of the proposed transaction, Applicants state that the transfer will be through a reverse triangular merger in which a newly formed Massachusetts corporation, Richmond Acquisition Corporation, will merge with RTC, with RTC as the surviving entity. RTC will be a wholly owned subsidiary of CornerStone. Applicants assert that the proposed transaction is entitled to

¹ 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 January 15, 2009.

presumptive streamlined treatment 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.²

Domestic Section 214 Application Filed for the Transfer of Control of Richmond Telephone Company and Richmond Connections, Inc. to CornerStone Telephone Company, L.L.C, WC Docket No. 09-5 (filed Jan. 12, 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 January 30, 2009**, and reply comments **on or before February 6, 2009**. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.³ 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 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; phone: (202) 488-5300; fax: (202) 488-5563;
- 2) Tracey Wilson-Parker, Competition Policy Division, Wireline Competition Bureau, tracey.wilson-parker@fcc.gov;
- 3) Jodie May, Competition Policy Division, Wireline Competition Bureau, jodie.may@fcc.gov;
- 4) David Krech, Policy Division, International Bureau, david.krech@fcc.gov; and
- 5) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

² 47 C.F.R. § 63.03(b)(2)(ii).

³ 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; url: www.bcpiweb.com.

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).

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

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