



# PUBLIC NOTICE

Federal Communications Commission  
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## DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF C-I COMMUNICATIONS, INC. FROM EMILY COOPERATIVE TELEPHONE COMPANY TO CONSOLIDATED TELEPHONE COMPANY

### NON-STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 09-41

**Comments Due: April 9, 2009**  
**Reply Comments Due: April 16, 2009**

On March 19 2009, Emily Cooperative Telephone Company (Emily) and Consolidated Telephone Company (Consolidated) (collectively, Applicants) filed an application pursuant to sections 63.03 and 63.04 of the Commission's rules<sup>1</sup> seeking approval for the transfer of control of C-I Communications, Inc. from Emily to Consolidated.

The Applicants do not seek streamlined treatment for this application under section 63.03(b) of the Commission's rules.<sup>2</sup> C-I, a Minnesota corporation, is a wholly owned subsidiary of Emily and provides competitive local exchange (LEC) services in competition with the incumbent LEC, Embarq Minnesota, Inc., in the Crosby exchange in Crow Wing County in rural, central Minnesota. C-I is authorized to provide competitive LEC service in the Deerwood exchange in Crow Wing County and in the Aitkin exchange in Aitkin County, Minnesota.<sup>3</sup> C-I also resells long distance services to its local exchange customers. Consolidated, a Minnesota cooperative association, provides incumbent LEC services in 10 exchanges in rural, central Minnesota (Freedhem, Leader, Lincoln, Mission, Motley, Outing, Nokay Lake, Pillager, Randall, and Sullivan Lake). It provides competitive LEC services in competition with Qwest Corporation in four other exchanges in rural, central Minnesota (Brainerd, Little Falls, Nisswa, and Staples) and also resells long distance services to its local exchange customers. Applicants state that C-I's Crosby exchange is adjacent to Consolidated's Mission and Nokay Lake incumbent LEC exchanges and Consolidated's Brainerd competitive LEC exchange, while C-I's future Deerwood exchange is adjacent to Consolidated's Nokay Lake exchange. Applicants further state that Emily and Consolidated are incumbent LECs that have, in combination, fewer than two percent of the nation's subscriber lines installed in the aggregate nationwide.

<sup>1</sup> 47 C.F.R. § 63.03-04; *see* 47 U.S.C. § 214.

<sup>2</sup> 47 C.F.R. § 63.03(b).

<sup>3</sup> Emily, a Minnesota cooperative association, provides incumbent LEC and long distance services in the Emily exchange in Crow Wing and Cass Counties in rural, central Minnesota. Applicants state that no member owner of Emily directly or indirectly owns or controls 10 percent or more of the voting or equity interest of the cooperative association.

Pursuant to the terms of the proposed transaction, Consolidated will acquire all of the issued and outstanding stock of C-I from Emily. When the proposed transaction is completed, C-I will be a wholly owned subsidiary of Consolidated. Applicants state that no member owner directly or indirectly owns or controls 10 percent or more of the voting or equity interest of Consolidated.

Applicants assert that a grant of the application will serve the public interest, convenience, and necessity because Consolidated is an established rural provider and will continue to provide high quality and state-of-the-art services at affordable rates. They further state that the proposed transaction will ensure that rural Minnesota customers have access to a competing provider of these services.

## **GENERAL INFORMATION**

The transfer of control 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 April 9, 2009** and reply comments **on or before April 16, 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](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.
- **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](mailto: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.bcpiweb.com](http://www.bcpiweb.com); phone: (202) 488-5300 fax: (202) 488-5563;
- 2) 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;
- 3) Tracey Wilson-Parker, Competition Policy Division, Wireline Competition Bureau, [tracey.wilson-parker@fcc.gov](mailto:tracey.wilson-parker@fcc.gov);
- 4) Jodie May, Competition Policy Division, Wireline Competition Bureau, [jodie.may@fcc.gov](mailto:jodie.may@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; e-mail: [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 Jodie May at (202) 418-0913.

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