



# PUBLIC NOTICE

Federal Communications Commission  
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DA 10-677  
Released: April 21, 2010

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF  
NEVADA UTILITIES COMPANY FROM NEVADA TELECOM SOLUTIONS, INC. TO  
BROADRIVER, INC.**

**STREAMLINED PLEADING CYCLE ESTABLISHED**

**WC Docket No. 10-84**

**Comments Due: May 5, 2010**  
**Reply Comments Due: May 12, 2010**

Nevada Telecom Solutions (Nevada Telecom), Nevada Utilities Company d/b/a “Nevada Telephone” and “Excella Communications” (Nevada Utilities), and BroadRiver, Inc (BroadRiver) (collectively, Applicants) filed an application pursuant to section 63.03 of the Commission’s rules to transfer control of Nevada Utilities from Nevada Telecom to BroadRiver.<sup>1</sup> Nevada Telecom, a privately-held Nevada corporation, wholly owns Nevada Utilities. Nevada Utilities, a Nevada corporation, provides intrastate and interstate telecommunications services to customers in the Las Vegas, Nevada area. BroadRiver, a privately-held Georgia corporation, provides competitive local exchange and inter-exchange services in Georgia, Florida and Alabama. BroadRiver is directly owned by Michael Oken (65%), a U.S. citizen, and H.K.L., L.C. (35%). H.K.L., L.C., a privately held, Florida limited liability company, is wholly owned by Katrin Sheehan, a U.S. Citizen. Pursuant to the terms of the proposed transaction, Nevada Telecom will transfer control of Nevada Utilities to BroadRiver. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(i) of the Commission’s rules and that a grant of the application will serve the public interest, convenience, and necessity.<sup>2</sup>

Domestic Section 214 Application Filed for the Transfer of Control of Nevada Utilities Company from Nevada Telecom Solutions, Inc. to BroadRiver, Inc., WC Docket No. 10-84 (filed Mar. 29, 2010).

<sup>1</sup> 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. On April 15, 2010, the Wireline Competition Bureau granted Applicants’ request for Special Temporary Authority (STA) to close the transaction immediately in order to avoid disruption of service to Nevada Utilities’ customers. The STA is effective for 60 days. Letter from Edward A. Maldonado, Regulatory Counsel for BroadRiver, Inc., to Marlene H. Dortch, WC Docket No. 10-84 (filed Mar. 23, 2010).

<sup>2</sup> 47 C.F.R. § 63.03(b)(2)(i).

## **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 May 5, 2010**, and reply comments **on or before May 12, 2010**. 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>3</sup> 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](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, 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](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, Policy Division, International Bureau, [david.krech@fcc.gov](mailto:david.krech@fcc.gov); and
- 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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<sup>3</sup> Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.

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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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