



PUBLIC NOTICE

Federal Communications Commission
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**DOMESTIC SECTION 214 APPLICATION FILED FOR THE
ACQUISITION OF ASSETS OF TELOVATIONS, INC.
BY BRIGHT HOUSE NETWORKS INFORMATION SERVICES (FLORIDA), LLC**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 12-341

Comments Due: December 10, 2012
Reply Comments Due: December 17, 2012

On November 19, 2012, Lovett Miller & Co., Bright House Networks Information Services (Florida), LLC (Bright House), and Telovations, Inc. (Telovations) (collectively, Applicants) filed an application pursuant to section 63.03 of the Commission's rules¹ for the transfer of assets of Telovations to Bright House.

Telovations is a Delaware corporation that is majority owned by Lovett Miller & Co, a Delaware corporation that does not provide telecommunications services. Telovations provides competitive local exchange (LEC) and interexchange services in Florida to business customers. Bright House, a Florida limited liability company, provides facilities-based competitive LEC services in Florida, including to its affiliates that provide Voice over Internet Protocol services.² Applicants state that affiliates of Bright House also provide these same competitive LEC services in Alabama, California, Indiana, and Michigan. Applicants state that Bright House is 100 percent owned by Bright House Networks, LLC, which is in turn 100 percent owned by Time Warner-Advance/Newhouse Partnership (TWE-A/N). Advance/Newhouse Partnership owns 33.33 percent of TWE-A/N and exercises control and management rights of Bright House Networks, LLC and has contractual power to designate 100 percent of the individuals exercising functions similar to those of directors of a corporation.³ Newhouse Broadcasting

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 November 26, 2012.

² Applicants state that, although Telovations and Bright House both serve the Tampa and Orlando markets in Florida, they provide different types of telecommunications services and there are multiple competitors serving these areas. Applicants further state that Bright House's parent company holds multiple satellite earth station licenses used solely for internal transport of video programming.

³ Applicants state that Time Warner Cable Enterprises LLC owns 66.67 percent of the equity in, but does not exercise control over TWE-A/N. Time Warner Cable Enterprises LLC is ultimately owned 100 percent by Time Warner Cable Inc., a publicly traded corporation.

Corporation (NBCo) holds 61.24 percent of the equity of Advance/Newhouse Partnership. S.I. Newhouse, Jr. and Donald E. Newhouse, both U.S. citizens, indirectly hold a 24 percent interest in Bright House through their interests in NBCo. Newark Morning Ledger Co. holds a 38.76 percent interest in Advance/Newhouse Partnership. Newark Morning Ledger Co. is 100 percent indirectly owned by Advance Publications, Inc., and Applicants state that no person or entity with interests in Advance Publications, Inc. holds a 10 percent or greater interest in Bright House. All entities are U.S.-based.

Pursuant to the terms of the proposed transaction, Bright House will acquire the section 214 authorizations, customer base, and other assets of Telovations. 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.⁴

Domestic Section 214 Application Filed for the Acquisition of Assets of Telovations, Inc. by Bright House Networks Information Services (Florida), LLC, WC Docket No. 12-341 (filed Nov. 19, 2012).

GENERAL INFORMATION

The transfer of control identified herein has been found, upon initial review, to be acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer 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 10, 2012**, and reply comments **on or before December 17, 2012**. Pursuant to section 63.52 of the Commission's rules, 47 C.F.R. § 63.52, commenters must serve a copy of comments on the Applicants no later than the above comment filing date. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.

Pursuant to section 63.03 of the Commission's rules, 47 CFR § 63.03, parties should file any documents in this proceeding using the Commission's Electronic Comment Filing System (ECFS): <http://fjallfoss.fcc.gov/ecfs2/>.

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, Competition Policy Division, Wireline Competition Bureau, tracey.wilson@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;
- 5) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

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⁴ 47 C.F.R. § 63.03(b)(2)(i).

The proceeding in this Notice shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules. Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b), 47 C.F.R. § 1.1206(b). Participants in this proceeding should familiarize themselves with the Commission’s *ex parte* rules.

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

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