



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

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DA 13-163
Released: February 6, 2013

DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF THE MIDDLE POINT HOME TELEPHONE COMPANY TO TELEPHONE SERVICE COMPANY

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 13-22

Comments Due: February 20, 2013
Reply Comments Due: February 27, 2013

On January 17, 2013, The Middle Point Home Telephone Company (MHTC) and Telephone Service Company (TSC) (collectively, Applicants) filed an application pursuant to section 63.03 of the Commission's rules¹ to transfer control of MHTC to TSC.

MHTC, an Ohio incumbent local exchange carrier (LEC), serves one local exchange (approximately 500 access lines) in and around the municipality of Middle Point in Van Wert County, Ohio. The Applicants state the following U.S. citizens hold a 10 percent or greater interest in MHTC: Chad Pollock (14.7 percent) and Kristie L. Snyder (14.6 percent).

TSC, an Ohio corporation, is an incumbent LEC that provides local exchange telephone service, long distance service, exchange access services, high-speed data services, and digital subscriber line high-speed Internet access services within an approximate 82 square mile area in and about Wapakoneta and Cridersville, Ohio. TSC services approximately 6,250 access lines in two local exchange areas situated within Auglaize and Allen Counties in Ohio. TSC owns a competitive LEC, TSC Communications, Inc. that is certified to provide telecommunications services in certain exchanges in Ohio. MPAC, an Ohio corporation, is a wholly owned subsidiary of TSC formed for the purpose of facilitating the proposed transaction and provides no telecommunications services. TSC is wholly owned by Hanson Communications, Inc., a Minnesota Corporation, which is owned by the following U.S. citizens: Mark A. Hanson (27.44 percent); Bruce C. Hanson (24.78 percent); and Susan K. Anderson (24.78 percent). Applicants state that there are no overlapping or adjacent territories served or authorized to be served by the TSC, including by its affiliate TSCC, and the MHTC.

TSC, MHTC, MPAC and certain shareholders of MHTC executed an Agreement and Plan of Merger (the Agreement). Under the Agreement, the Applicants agreed that (a) MOAC will be merged with and into MHTC, (b) the separate existence of MPAC will cease and MHTC will continue as the surviving corporation as a wholly owned subsidiary of TSC, and (c) the outstanding shares of MHTC will

¹ 47 C.F.R § 63.03; *see* 47 U.S.C. § 214. Applicants filed a supplement to their application on February 5, 2013.

be converted into the right to receive cash in an amount to be determined by a formula under the Agreement. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(iii) 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 The Middle Point Home Telephone Company to Telephone Service Company, WC Docket No. 13-22 (filed Jan. 17, 2013).

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 February 20, 2013**, and reply comments **on or before February 27, 2013**. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.³ Comments should be filed using the Commission's Electronic Comment Filing System (ECFS). 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://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) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, dennis.johnson@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.

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).

² 47 C.F.R. § 63.03(b)(2)(iii).

³ Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.

For further information, please contact Tracey Wilson at (202) 418-1394 or Dennis Johnson at (202) 418-0809.

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