



PUBLIC NOTICE

Federal Communications Commission
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DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF EASYTEL COMMUNICATIONS CARRIER CORPORATION TO COXCOM, LLC

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 13-228

Comments Due: October 3, 2013

Reply Comments Due: October 10, 2013

On September 9, 2013, Timothy E. Kloehr and CoxCom, LLC (Cox) filed an application pursuant to section 63.03 of the Commission's rules¹ to transfer control of EasyTel Communications Carrier Corporation (EasyTel) (collectively, with Mr. Kloehr and Cox, Applicants) from Mr. Kloehr to Cox.

EasyTel, an Oklahoma corporation, provides facilities-based competitive local exchange carrier (LEC) and long distance services to approximately 3,300 business customers in the Tulsa, Oklahoma area. Mr. Kloehr, a U.S. citizen, is the sole owner of EasyTel.

Cox, a Delaware limited liability company, and its affiliates provide competitive telecommunications services and video services in 19 states. In Oklahoma, Cox provides facilities-based competitive LEC and long distance services to approximately 495,000 residential and business customers in the Oklahoma City and Tulsa areas through its wholly owned subsidiary, Cox Oklahoma Telecom, LLC. Applicants state that EasyTel's service area overlaps with the service area for Cox's video services in the Tulsa market. Cox is a wholly owned subsidiary of Cox Communications, Inc., which in turn is wholly owned by Cox Enterprises, Inc. Applicants state that the following entities own 10 percent or more of Cox Enterprises, Inc.: Dayton-Cox Trust A (43.4 percent), Atlanta Trust (30.6 percent), and Trailsend Ventures, LLC (25.8 percent). The Anthony Descendants Trust owns 98.3 percent of Trailsend Ventures, LLC. These are all U.S. entities, and the following U.S. citizens are trustees of the trusts: Anne Cox Chambers, James C. Kennedy, and Jimmy W. Hayes. Applicants state that none of these entities or individuals holds an attributable interest in any entity that provides interstate telecommunications services.

Pursuant to the terms of the proposed transaction, Cox will purchase 100 percent of the shares of EasyTel. As a result, Cox will acquire approximately 18,500 access lines in Tulsa, principally serving

¹ 47 C.F.R § 63.03; *see* 47 U.S.C. § 214. Applicants also filed an application 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 September 18, 2013.

business customers. 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.²

Domestic Section 214 Application Filed for the Transfer of Control of EasyTel Communications Carrier Corporation to CoxCom, LLC, WC Docket No. 13-228 (filed Sept. 9, 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 October 3, 2013**, and reply comments **on or before October 10, 2013**. 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 to this proceeding 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) Tracey Wilson, Competition Policy Division, Wireline Competition Bureau, tracey.wilson@fcc.gov;
- 2) Jodie May, Competition Policy Division, Wireline Competition Bureau, jodie.may@fcc.gov;
- 3) David Krech, Policy Division, International Bureau, david.krech@fcc.gov; and
- 4) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

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).

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. §

² 47 C.F.R. § 63.03(b)(2)(i).

1.1206(b). Participants in this proceeding should familiarize themselves with the Commission's ex parte rules.

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

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