



PUBLIC NOTICE

Federal Communications Commission
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DA 13-2410

Released: December 17, 2013

DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF LAKEFIELD TELECOM, INC. TO NORTHEAST COMMUNICATIONS OF WISCONSIN, INC.

NON-STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 13-300

Comments Due: December 31, 2013

Reply Comments Due: January 7, 2014

On November 20, 2013, Lakefield Telecom, Inc. (Lakefield) and Northeast Communications of Wisconsin, Inc., d/b/a Nsight Telservices (Nsight) (collectively, Applicants) filed an application pursuant to section 63.03 of the Commission's rules¹ requesting authorization for the transfer of control of Lakefield and its subsidiaries to Nsight.

Lakefield, a Wisconsin holding company, wholly owns Lakefield Telephone Company (LTC), a Wisconsin Corporation, which provides local exchange services and interstate exchange access as an incumbent local exchange carrier (incumbent LEC) serving approximately 1,310 access lines in Manitowoc County. Lakefield's wholly owned subsidiary Lakefield Communications Inc. (LCI), a Wisconsin corporation, provides local exchange telephone services and interstate exchange access as a competitive LEC to approximately 1,862 access lines in Manitowoc County. LCI also provides resold interstate toll services to customers located in the local exchange service areas serviced by LCT and LCI.

Nsight, a Wisconsin corporation, is a holding company that wholly owns the following entities: (1) Northeast Telephone Company, LLC, a Wisconsin limited liability company and incumbent LEC serving approximately 4,700 access lines in the following Wisconsin Counties: Brown, Oconto, Outagamie, and Shawano; (2) Bayland Telephone, LLC, a Wisconsin limited liability company and incumbent LEC serving approximately 1,700 access lines in Oconto County, Wisconsin; (3) NET LEC, LLC, Brown County CLEC, LLC, and Bayland Communications, LLC, each being a Wisconsin limited liability company that serve, in combination, approximately 5,500 access lines and provide competitive LEC services predominately to business customers in the following Wisconsin Counties: Brown, Outagamie, Oconto, and Winnebago. The following U.S. citizens and U.S. based entity own at least 10

¹ 47 C.F.R § 63.03; see 47 U.S.C. § 214. Applicants also filed applications for transfer of control associated with authorization for international services. Nsight filed another domestic section 214 transfer of control application that is currently pending. *Application Filed for the Transfer of Control of Niagara Telephone Company and Borderland Communications, LLC to Northeast Communications of Wisconsin, Inc. d/b/a Nsight Telservices*, WC Docket 13-283, Public Notice, DA 13-2287 (filed Nov. 20, 2013). Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending actions.

percent of Nsight's equity: Patrick D. Riordan (14.98 percent); Robert H. Riordan (11.32 percent), and Tailwind Capital Partners (13.64 percent).²

Applicants state that Nsight is the controlling interest holder in Wisconsin RSA-10 Limited Partnership which is the licensee of cellular Station KNKN294 and associated P-P microwave stations which provide cellular service in CMA717B. Applicants note that a portion of this wireless service area covers Lakefield's telephone exchange area. Because this transaction is more complex than usual, in order to analyze whether the proposed transaction would serve the public interest, this application will not be streamlined.³

Applicants state that the proposed transaction will be accomplished by the merger of Lakefield Acquisition II, Inc., a newly-formed Wisconsin corporation that is wholly-owned by Nsight, with and into Lakefield, with Lakefield continuing as the surviving corporation. Upon consummation of the proposed transaction, all of the issued and outstanding common stock of Lakefield will be owned by Nsight.

Domestic Section 214 Application Filed for the Transfer of Control of Lakefield Telecom, Inc. and its Subsidiaries to Northeast Communications of Wisconsin, Inc. d/b/a Nsight Telservices, WC Docket No. 13-300 (filed Dec. 11, 2013).

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 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 31, 2013**, and reply comments **on or before January 7, 2014**. 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.

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) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, dennis.johnson@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.

² The following U.S. citizens are the managing/general partners of Tailwinds Capital Partners: David S. Bauman, Jeffrey M. Calhoun, James S. Hoch, Geoffrey S. Raker, Frank V. Sica, Lawrence B. Sorrel, and Adam F. Stulberger.

³ 47 C.F.R. § 63.03(b), (c)(1)(v).

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The proceeding in this Notice shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.⁴ 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 Tracey Wilson at (202) 418-1394 or Dennis Johnson at (202) 418-0809.

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⁴ 47 C.F.R. §§ 1.1200 *et seq.*