



PUBLIC NOTICE

Federal Communications Commission
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News Media Information 202 / 418-0500
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DA 13-2413
Released: December 18, 2013

DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF CALLIS COMMUNICATIONS, INC. TO CELLULAR SOUTH, INC.

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 13-303

Comments Due: January 2, 2014
Reply Comments Due: January 8, 2014

On December 12, 2013, Callis Communications, Inc. (Callis) and Cellular South, Inc. (CSI) (together, Applicants) filed an application pursuant to section 63.03 of the Commission's rules¹ to transfer control of Callis to CSI.

Callis, an Alabama corporation, provides competitive local exchange carrier (LEC) services in Alabama, Florida and Mississippi. CSI, a Mississippi corporation, provides wireless telecommunications services under the name "C Spire Wireless" in Mississippi and in portions of Tennessee, Alabama, and Florida. CSI provides wireless service in areas in which Callis provide competitive LEC service. CSI is wholly owned by Telapex, Inc., a Mississippi corporation. Applicants state that the following hold a 10 percent or greater interest in Telapex, Inc.: Telapex, Inc. Employee Stock Ownership Plan (13.7972 percent), a Mississippi contribution plan with no 10 percent or greater interest holders, and James H. Creekmore, Sr., a U.S. citizen (11.9827 percent).² Applicants state that Telapex, Inc. controls two incumbent LECs, Franklin Telephone Company, Inc. and Delta Telephone Company, Inc., that provide service in Mississippi. They state that Callis does not provide competitive LEC service in the service areas of these carriers. In addition, CSI has one competitive LEC affiliate, Telepak Networks, Inc., that offer service in the areas in which Callis currently offers service.

Pursuant to the terms of the proposed transaction, CSI will purchase the stock of Callis, and, as a result, Callis will be controlled by CSI. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(ii) of the Commission's rules and that a grant of the application will serve the public interest, convenience, and necessity.³

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 and wireless 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 December 17, 2013.

² Applicants state that the other stockholders of Telapex, Inc., all U.S. citizens, own interests of less than 10 percent and all have familial relationships.

³ 47 C.F.R. § 63.03(b)(2)(ii).

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 January 2, 2014**, and reply comments **on or before January 8, 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. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.⁴

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.⁵ 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

⁴ Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.

⁵ 47 C.F.R. §§ 1.1200 *et seq.*

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 Jodie May at (202) 418-0913.

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