



PUBLIC NOTICE

Federal Communications Commission
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DA 13-810
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**DOMESTIC SECTION 214 APPLICATION FILED FOR THE
ACQUISITION OF CERTAIN ASSETS OF TELJET LONGHAUL, LLC
BY TVC ALBANY, INC.**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 13-96

Comments Due: May 7, 2013

Reply Comments Due: May 14, 2013

On April 8, 2013, TelJet Longhaul, LLC (TelJet) and TVC Albany, Inc. (TVC) (together, Applicants) filed an application pursuant to section 63.03 of the Commission's rules¹ to transfer certain TelJet assets to TVC.

TelJet, a Vermont limited liability company, provides facilities-based competitive telecommunications services in Vermont and New Hampshire. The following U.S.-based entities hold a 10 percent or greater interest in TelJet: Vermont Fiberlink, LLC (25 percent) and TelJet, Inc. (75 percent). Gregory Kelly and Douglas Hyde, both U.S. citizens, each own 47.5 percent of TelJet, Inc.

TVC, a Delaware corporation, provides facilities-based and resold competitive telecommunications services in New York, New Hampshire, and Massachusetts.² Tech Valley Holdings, LLC owns 100 percent of TVC. Applicants state that the following entities hold a 10 percent or greater indirect ownership interest in TVC through Tech Valley Holdings, LLC: Riverside Fund IV, L.P. (58 percent) and Riverside Fund IV Offshore, L.P. (19.5 percent). The following entities hold a 10 percent or greater indirect ownership interest in TVC through Riverside Fund IV, L.P.: Riverside Partners IV, L.P. (general partner), Yale University (14.81 percent limited partner), Arkansas Teacher Retirement System (13.16 percent limited partner), and West Virginia Investment Management Board (13.16 percent limited partner). Applicants state that no entity owns a 10 percent or greater interest in TVC through Yale University, Arkansas Teacher Retirement System, or the West Virginia Investment Management Board. Applicants further state that the following U.S. citizens and entity hold a 10 percent or greater interest in Riverside Partners IV, L.P.: David Belluck, Brian Guthrie, Steve Kaplan, and Riverside Partners IV, LLC. The sole members of Riverside Partners IV, LLC are David Belluck and Brian Guthrie. All entities are U.S.-based. Applicants state that TVC is affiliated with SegTEL, Inc., a U.S.-based competitive telecommunications provider in Maine, New Hampshire, Vermont, and Massachusetts.

¹ 47 C.F.R. § 63.03; *see* 47 U.S.C. § 214. Applicants filed a supplement to their application on April 19, 2013.

² In addition, Applicants state that TVC holds a nationwide common carrier wireless license in the 3650-3700 MHz band.

Pursuant to the terms of the proposed transaction, TVC will purchase TelJet's telecommunications assets, including its customer base. As a result, TVC will serve TelJet's current customers, and TelJet will cease to provide telecommunications services. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under sections 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.³

Domestic Section 214 Application Filed for the Acquisition of Certain Assets of TelJet Longhaul, LLC by TVC Albany, Inc., WC Docket No. 13-96 (filed Apr. 8, 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 May 7, 2013**, and reply comments **on or before May 14, 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.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) 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

³ 47 C.F.R. §63.03 (b)(2)(i).

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.*

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 Jodie May at (202) 418-0913.

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