



# PUBLIC NOTICE

**Federal Communications Commission**  
**445 12<sup>th</sup> St., S.W.**  
**Washington, D.C. 20554**

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**DA 14-185**  
**Released: February 11, 2014**

**APPLICATIONS FILED BY FRONTIER COMMUNICATIONS CORPORATION AND  
AT&T INC. FOR THE ASSIGNMENT OR TRANSFER OF CONTROL OF  
THE SOUTHERN NEW ENGLAND TELEPHONE COMPANY AND SNET AMERICA, INC.**

**PLEADING CYCLE ESTABLISHED**

**WC Docket No. 14-22**

**Comments/Petitions Due: March 13, 2014**  
**Reply/Oppositions Due: March 28, 2014**

Frontier Communications Corporation (Frontier) and AT&T Inc. (AT&T) (together, Applicants) filed a series of applications<sup>1</sup> pursuant to sections 214 and 310(d) of the Communications Act of 1934, as amended (Act),<sup>2</sup> seeking approval for various assignments and the transfer of control of licenses and authorizations held by AT&T's wholly-owned subsidiaries, The Southern New England Telephone Company (SNET) and SNET America, Inc. (SNET America), to Frontier.

SNET, a Connecticut corporation, provides incumbent local exchange carrier (LEC), broadband, and video services in Connecticut. Its service area covers all of Connecticut except for two exchanges in the southwest corner of the state. These operations include approximately 900,000 access line customers, approximately 415,000 broadband customers, and approximately 180,000 video customers. SNET America, a Delaware corporation, provides long distance interexchange and international calling and calling card services in Connecticut and has a small number of customers in multiple states.

Frontier, a publicly traded Delaware corporation, provides telecommunications and broadband services, including local and long distance voice, broadband data, and video, through its wholly-owned operating companies. It currently serves approximately 3.1 million customers and has 1.8 million broadband customers in 27 states in predominantly rural areas and smaller cities.<sup>3</sup> Applicants state that no individual or company owns or controls ten percent or more of Frontier's stock.

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<sup>1</sup> See *AT&T Inc. and Frontier Communications Corporation Application for Consent to Transfer Control of Authority to Provide Global Facilities-Based and Global Resale International Telecommunications Services and to Assign and Transfer of Control of Domestic Common Carrier Transmission Lines, Pursuant to Section 214 of the Communications Act of 1934, as Amended*, WC Docket No. 14-22 (filed Feb. 3, 2014). Applicants filed a supplement to their applications on February 10, 2014.

<sup>2</sup> 47 U.S.C. §§ 214, 310(d).

<sup>3</sup> Frontier's current service territories are in Alabama, Arizona, California, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Michigan, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Mexico, New York, North Carolina, Ohio, Oregon, Pennsylvania, South Carolina, Tennessee, Utah, Washington, West Virginia, and Wisconsin.

Pursuant to the terms of the proposed transaction, Frontier will acquire certain assets and customer relationships related to SNET's provision of local exchange and exchange access services to residential, small business, and some enterprise customers in Connecticut, and certain customer relationships relating to SNET America's provision of interstate domestic and U.S. international long distance and calling card services. Upon completion of the transaction, SNET and SNET America will become wholly-owned subsidiaries of Frontier. Applicants state that the proposed transaction does not include the other AT&T operations in Connecticut, such as those of AT&T Mobility and AT&T Corp., which will continue to provide services in the state.

Applicants assert that the proposed transaction is in the public interest. They maintain that customers will continue to receive substantially the same services on the same terms and conditions under their existing contracts and tariffs. They further assert that Frontier is qualified to serve AT&T's customer base, that the transaction will increase competition, and that it will result in cost savings, which will expand Frontier's infrastructure investment, including for broadband services.

## **SECTION 214 AUTHORIZATIONS**

### **A. International**

The application for consent to the transfer of control of certain international section 214 authorizations from AT&T to Frontier has been assigned the file numbers listed below.

<b><u>File Number</u></b>	<b><u>Authorization Holder</u></b>	<b><u>Authorization Number</u></b>
ITC-T/C-20140131-00027	SNET America, Inc.	ITC-214-19930716-00119 ITC-214-19950215-00064 ITC-214-19960223-00083

### **B. Domestic**

The Applicants filed an application to transfer control of domestic section 214 authority in connection with the proposed transaction.<sup>4</sup> In light of the multiple applications pending before the Commission with respect to this transaction and the public interest review associated with them, the domestic transfer of control application is not subject to streamlined treatment.<sup>5</sup>

## **SECTION 310(d) APPLICATIONS**

The application for consent to the assignment of a license under section 310(d) has been assigned the file number listed below.<sup>6</sup>

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Applicants state that Frontier is headquartered in Connecticut but has no current incumbent LEC or competitive LEC operations in the state.

<sup>4</sup> *Consolidated Applications for the Transfer of Control of International and Domestic Section 214 Authority of Southern New England Telephone Company and SNET America, Inc. from AT&T Inc. to Frontier Communications Corporation*, WC Docket No. 14-22 (filed Feb. 3, 2014).

<sup>5</sup> See 47 C.F.R. § 63.03(c)(1).

<sup>6</sup> This Application appeared on a separate public notice, dated February 5, 2014. See *Wireless Telecommunications Bureau Assignment of License Authorization Applications, Transfer of Control of License Applications, and De Facto Transfer Lease Applications, and Designated Entity Reportable Eligibility Event Applications Accepted for Filing*, Public Notice, Rpt. No. 9340 (WTB rel. Feb. 5, 2014) at 3 (February 5, 2014 Public Notice). This Public

**GENERAL INFORMATION**

The applications referenced herein have been found, upon initial review, to be acceptable for filing. The Commission reserves the right to return any application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Interested parties may file comments **on or before March 13, 2014**, and reply comments **on or before March 28, 2014**.

Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 CFR §§ 1.415, 1.419, interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. Comments may 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/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12<sup>th</sup> St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12<sup>th</sup> Street, SW, Washington DC 20554.

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](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

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Notice supersedes the February 5, 2014 Public Notice and will be used to determine the timeliness of any pleadings filed regarding this transaction.

**In addition, provide one copy of each pleading to each of the following:**

- 1) The Commission's duplicating contractor, Best Copy and Printing, Inc., [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com); phone: (202) 488-5300; facsimile: (202) 488-5563;
- 2) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, [dennis.johnson@fcc.gov](mailto:dennis.johnson@fcc.gov) or (202) 418-1413 (facsimile);
- 3) David Krech, Policy Division, International Bureau, [david.krech@fcc.gov](mailto:david.krech@fcc.gov) or (202) 418-2824 (facsimile);
- 4) Jeff Tobias, Mobility Division, Wireless Telecommunications Bureau, at [jeff.tobias@fcc.gov](mailto:jeff.tobias@fcc.gov) or (202) 418-7447 (facsimile);
- 5) Neil Dellar, Office of General Counsel, [TransactionTeam@fcc.gov](mailto:TransactionTeam@fcc.gov) or (202) 418-1234 (facsimile).

The proceeding in this Notice shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.<sup>7</sup> 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.

To allow the Commission to consider fully all substantive issues regarding the Applications in as timely and efficient a manner as possible, petitioners and commenters should raise all issues in their initial filings. New issues may not be raised in responses or replies.<sup>8</sup> A party or interested person seeking to raise a new issue after the pleading cycle has closed must show good cause why it was not possible for it to have raised the issue previously. Submissions after the pleading cycle has closed that seek to raise new issues based on new facts or newly discovered facts should be filed within 15 days after such facts are discovered. Absent such a showing of good cause, any issues not timely raised may be disregarded by the Commission.

For further information, please contact Dennis Johnson, Wireline Competition Bureau, (202) 418-0809; David Krech, Policy Division, International Bureau, (202) 418-7443; or Jeff Tobias, Wireless Telecommunications Bureau, (202) 418-1617.

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<sup>7</sup> 47 C.F.R. §§ 1.1200 *et seq.*

<sup>8</sup> *See* 47 C.F.R. §1.45(c).