**DA 15-1067**

**September 23, 2015**

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF TDS TELECOMMUNICATIONS CORP., D/B/A TDS TELECOM,**

**TO ARK-O HOLDING COMPANY**

**STREAMLINED PLEADING CYCLE ESTABLISHED**

**WC Docket No. 15-217**

**Comments Due: October 7, 2015**

**Reply Comments Due: October 14, 2015**

TDS Telecommunications Corp., d/b/a TDS Telecom (TDS Telecom), and Ark-O Holding Company (Ark-O) (together, Applicants) filed an application pursuant to section 214 of the Communications Act of 1934, as amended, and section 63.03 of the Commission’s rules, requesting consent to transfer Wyandotte Telephone Company (Wyandotte), Decatur Telephone Company (Decatur) and Cleveland County Telephone Company (Cleveland County) (together the Licensees) from TDS Telecom to Ark-O. [[1]](#footnote-1)

TDS Telecom, a Delaware corporation, is a wholly owned subsidiary of Telephone and Data Systems, Inc. (TDS). TDS Telecom currently operates 108 incumbent local exchange carriers (LECs) in 26 states. In addition, TDS Telecom operates competitive LECs in Illinois and North Dakota. Wyandotte, an Oklahoma corporation, serves 482 loops. Decatur and Cleveland County, both Arkansas corporations, serve 651 loops and 2,333 loops, respectively. TDS is controlled by a voting trust whose trustees are the following U.S. citizens: LeRoy T. Carlson, Jr., Walter C.D. Carlson, Prudence E. Carlson, and Dr. Letitia G.C. Carlson. BlackRock Inc., a Delaware corporation, and its affiliates own eleven percent of the stock of TDS.

Ark-O, a newly formed Missouri corporation, currently provides no services. Ark-O has the following affiliates, all Missouri corporations, which provide telecommunications services: Seneca Telephone Company, Ozark Telephone Company and Goodman Telephone Company (Ark-O Affiliates). The Ark-O Affiliates serve approximately 5,200 working loops. Mr. Jay Mitchell and Mr. Brian Mitchell (both U.S. citizens) each hold a 50 percent ownership interest in each of the Ark-O Affiliates.

Applicants state that Ark-O will acquire one hundred percent of the capital stock of the Licensees from TDS Telecom. Applicants assert that the proposed transaction will serve the public interest. They state that the Licensees will continue to provide service at the same rates, terms and conditions as are in effect today. Applicants state that there will be no reduction, impairment, or discontinuance of service to any customer as a result of the proposed transaction, and that the transaction will be seamless with no interruption or disruption of service. We accept this for streamlined processing pursuant to our authority to afford streamlining to particular applications on a case-by-case basis.[[2]](#footnote-2)

Domestic Section 214 Application Filed for the Transfer of Control of

TDS Telecommunications Corp., d/b/a TDS Telecom, to Ark-O Holding Company,

WC Docket No. 15-217 (filed Sept. 10, 2015).

**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 7, 2015**, and reply comments **on or before October 14, 2015**. 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://apps.fcc.gov/ecfs/.

**In addition, e-mail one copy of each pleading to each of the following:**

1. Myrva Freeman, Competition Policy Division, Wireline Competition Bureau, myrva.freeman@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;
4. Sumita Mukhoty, Policy Division, International Bureau, smita.mukhoty@fcc.gov;
5. 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), 1-888-835-5322 (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. § 1.1206(b). Participants in this proceeding should familiarize themselves with the Commission’s ex parte rules.

 For further information, please contact Myrva Freeman at (202) 418-1506 or Dennis Johnson at (202) 418-0809.

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1. 47 C.F.R § 63.03; *see* 47 U.S.C. § 214. Applicants filed a supplement to their Application on September 21, 2015. [↑](#footnote-ref-1)
2. *Implementation of Further Streamlining Measures for Domestic Section 214 Authorizations*, Report and Order, 17 FCC Rcd 5517, 5531-32, 5535, paras. 28, 34 (2002). [↑](#footnote-ref-2)