



PUBLIC NOTICE

Federal Communications Commission
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DA 15-1159
October 9, 2015

DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF BROADRIVER COMMUNICATIONS CORPORATION TO APPIA COMMUNICATIONS, INC.

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 15-242

Comments Due: October 23, 2015
Reply Comments Due: October 30, 2015

BroadRiver Communications Corporation (BCC) and Appia Communications, Inc. (Appia) (together, Applicants) filed an application pursuant to section 214 of the Communications Act of 1934, as amended (Act), seeking approval to transfer control of BCC to Appia.¹

BCC, a Delaware corporation, provides competitive local exchange carrier (LEC) service primarily in Alabama and Georgia. Applicants state that it also provides some competitive LEC services in Florida, Maryland, New York, North Carolina, South Carolina, Tennessee, Texas, and Virginia. Appia, a Michigan corporation, provides Voice over Internet Protocol (VoIP) services nationwide. Applicants state that Victor von Schlegell and William Bollinger, both U.S. citizens, own 50 percent and 20 percent, respectively, of Appia. Applicants further state that no other individual or entity owns 10 percent or more of Appia, and that Mr. Schlegell and Mr. Bollinger do not own any interest in other telecommunications providers.

Pursuant to the terms of the proposed transaction, Appia will purchase all of the shares of BCC, and BCC will become a wholly-owned subsidiary of Appia. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 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.²

¹ 47 C.F.R. § 63.03; *see* 47 U.S.C. § 214. Applicants are also filing applications for transfer of control associated with authorization for international services. Any action on this domestic section 214 application is also without prejudice to Commission action on other related, pending applications. Applicants filed a supplement to their domestic section 214 application on October 8, 2015.

² 47 C.F.R. 63.03(b)(2)(i).

Domestic Section 214 Application Filed for the Transfer of Control of BroadRiver Communications Corporation to Appia Communications, Inc., WC Docket No. 15-242 (filed Dec. 8, 2014).³

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 23, 2015**, and reply comments **on or before October 30, 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) 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; Sumita Mukhoty, Policy Division, International Bureau, sumita.mukhoty@fcc.gov;
- 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), 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

³ Due to a delay in certain administrative actions by Applicants, the domestic section 214 application has not been accepted for filing until release of this Public Notice.

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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