



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
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DA 15-1400
December 9, 2015

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE
TRANSFER OF CONTROL OF OKLAHOMA WESTERN TELEPHONE COMPANY
TO KCL ENTERPRISES, INC.**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 15-291

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

Pauline Van Horn, Michael Van Horn, Cynthia Garrison (Transferors), and KCL Enterprises, Inc. (KCL) (together, Applicants) filed an application pursuant to section 214 of the Communications Act of 1934, as amended (Act), and section 63.03 of the Commission's rules, requesting approval to transfer control of Oklahoma Western Telephone Company (Oklahoma Western) from Transferors to KCL.¹

Transferors, all U.S. citizens, presently own 90.90 percent of the issued and outstanding stock of Oklahoma Western. Oklahoma Western, an Oklahoma corporation, is a rural incumbent local exchange carrier (LEC) serving approximately 1,800 access lines in and around the communities of Albion, Buffalo Valley, Clayton, Fashawe, Leflore, Muse, Nashoba, Red Oak, and Summerfield in the counties of Pittsburg, Pushmataha, Latimer, and Leflore in southeastern Oklahoma. Its wholly-owned subsidiary, Phoenix Long Distance, Inc., resells interstate and intrastate long distance toll services within its local exchange service area. Applicants state that Oklahoma Western also provides video services in portions of its service area and provides cellular service in southeastern Oklahoma.

KCL, a Texas corporation, owns and operates the Dunnell Telephone Company Incorporated that provides rural incumbent LEC service in Minnesota. Applicants state that Charles D. Mattingly, Jr., a U.S. citizen, owns 100 percent of KCL. Applicants further state that Mr. Mattingly is the sole member of VNC Enterprises, LLC, a Texas limited liability company that owns Nova Telephone Company, an incumbent LEC providing service in Ohio. They state that KCL has no other affiliate that offers domestic telecommunications services.

Pursuant to the terms of the proposed transaction, KCL will acquire all of Oklahoma Western's issued and outstanding common stock from Transferors. Applicants assert that the proposed transaction

¹ 47 U.S.C. § 214, 47 C.F.R. § 63.03. Applicants are also filing applications for transfer of control associated with authorization for wireless services. Any action on this domestic section 214 application is without prejudice to Commission action on other related pending applications.

is entitled to presumptive streamlined treatment under section 63.03(b)(2)(iii) of the Commission's rules and that a grant of the application will serve the public interest, convenience, and necessity.²

Domestic Section 214 Application Filed for the Transfer of Control of Oklahoma Western Telephone Company to KCL Enterprises, Inc., WC Docket No. 15-291 (filed Nov. 24, 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 December 23, 2015**, and reply comments **on or before December 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) Myrva Freeman, Competition Policy Division, Wireline Competition Bureau, myrva.freeman@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), 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

² 47 C.F.R. § 63.03(b)(2)(iii).

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 Jodie May at (202) 418-0913.

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