



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>
TTY: 1-888-835-5322

DA 15-1483
December 22, 2015

DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF RICO TELEPHONE COMPANY TO DIRECT COMMUNICATIONS CEDAR VALLEY, LLC

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 15-295

Comments Due: January 5, 2016
Reply Comments Due: January 12, 2016

Rico Holdings, LLC (Rico Holdings) and Direct Communications Cedar Valley, LLC (Direct Communications) (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 control of Rico Telephone Company (Rico Telephone) from Rico Holdings to Direct Communications.¹

Rico Telephone, a Colorado corporation, is an incumbent local exchange carrier (LEC) providing telecommunications services in rural Colorado. Rico Telephone is wholly owned by Rico Holdings, a Colorado limited liability company. Direct Communications, a Utah limited liability company, is an incumbent LEC providing telecommunications services in rural Utah. The following U.S. citizens indirectly hold a 10 percent or greater interest in Direct Communications: Leonard May and Marilyn May (each holding a 14 percent interest).

Applicants state that on November 13, 2015, Direct Communications entered into an agreement with Rico Holdings, to acquire all of the stock and equity interest in Rico Telephone. They state that there are no overlaps or adjacencies of service territories and that the Direct Communications 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. Applicants assert that the proposed transaction 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

¹ See 47 C.F.R. § 63.03; 47 U.S.C. § 214.

² 47 C.F.R. § 63.03(b)(2)(iii).

Domestic Section 214 Application Filed for the Transfer of Control of Rico Telephone Company to Direct Communications Cedar Valley, LLC, WC Docket No. 15-295 (filed Nov. 30, 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 January 5, 2016**, and reply comments **on or before January 12, 2016**. 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) Gregory Kwan, Competition Policy Division, Wireline Competition Bureau, gregory.kwan@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 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 Gregory Kwan at (202) 418-1191.

- FCC -