



PUBLIC NOTICE

Federal Communications Commission
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DA 15-199
February 11, 2015

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF
CONTROL OF PINNACLES TELEPHONE COMPANY TO STEVEN R. BRYAN, JR.**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 15-27

Comments Due: February 25, 2015
Reply Comments Due: March 4, 2015

On February 2, 2015, the S&S Bryan Family Trust (Bryan Trust) and Mr. Steven R. Bryan, Jr. (collectively, Applicants) filed an application pursuant to section 63.03 of the Commission's rules to transfer control of Pinnacles Telephone Company (Pinnacles) from the Bryan Trust to Steven R. Bryan, Jr.¹

Pinnacles, a California corporation, provides local exchange telephone services as an incumbent local exchange carrier (LEC) and other services in the Paicines and New Idria areas of San Benito county, California. The ultimate parent company of Pinnacles is Bryan Family, Inc. (BFI), a California corporation, and one hundred percent of BFI's issued and outstanding stock was held and voted by Steven R. Bryan, Sr. until his death on February 4, 2014. Prior to his death, Steven R. Bryan, Sr. created the Bryan Trust, as amended and restated in 2008, for estate planning purposes and contributed 100 percent of the issued and outstanding shares of BFI to the Trust. Applicants state that Steven R. Bryan, Jr. is a U.S. citizen and does not own a ten percent or greater interest in any telecommunications provider.

Applicants state that prior to consummating the proposed transaction, BFI will undergo a stock split in which for every outstanding share of voting common stock, there will be issued 1 share of Class A voting common stock and 3 shares of Class B non-voting common stock. Step one of the proposed transaction will entail the distribution of one hundred percent of the Class A voting shares of BFI will from the Bryan Trust to Steven R. Bryan, Jr. and the distribution of one hundred percent of the Class B non-voting shares of BFI to Kenneth Bryan. Step two of the proposed transaction will result in BFI immediately redeeming the Class B non-voting shares, whereby Steven R. Bryan, Jr. will acquire indirect control of Pinnacles.

¹ 47 C.F.R § 63.03; *see* 47 U.S.C. § 214. Applicants are also filing applications for transfer of certain wireless authorizations. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications. Applicants filed a supplement to their application on February 10, 2015.

Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(1)(ii) 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 Pinnacles Telephone Company, WC Docket No. 15-27 (filed February 2, 2014).

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 February 25, 2015**, and reply comments **on or before March 4, 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://fjallfoss.fcc.gov/ecfs2/>.

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) 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), (202) 418-0432 (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)(1)(ii).

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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