



# PUBLIC NOTICE

Federal Communications Commission  
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**DOMESTIC SECTION 214 APPLICATION FILED FOR THE AQUISITION OF CERTAIN  
ASSETS OF BPM, INC., D/B/A NOXAPATER TELEPHONE COMPANY BY  
THE NOVA TELEPHONE COMPANY**

**STREAMLINED PLEADING CYCLE ESTABLISHED**

**WC Docket No. 14-269**

**Comments Due: January 22, 2015**  
**Reply Comments Due: January 29, 2015**

On December 31, 2014, BPM, Inc., d/b/a Noxapater Telephone Company (BPM) and The Nova Telephone Company (Nova), (collectively, Applicants) filed an application pursuant to section 63.03 of the Commission's rules for the transfer of domestic Section 214 authorization and related domestic telecommunications assets of BPM to Nova.<sup>1</sup>

BPM, a Mississippi corporation, provides local exchange and exchange access services as an incumbent local exchange carrier (LEC) in the Noxapater exchange in the Winston, Neshoba and Attala Counties in rural east central Mississippi. BPM is wholly owned by Colonial Telephone Company, a U.S. entity. In turn, Colonial Telephone Company is wholly owned by John E. Pearce, a U.S. citizen. No other individual or entity owns any of the issued and outstanding stock of BPM prior to or at the time of the proposed transaction.

Nova, an Ohio corporation, provides local exchange and exchange access services as an incumbent LEC in the Nova exchange in Ashland County in rural north central Ohio. Nova has no existing operations or affiliates in Mississippi. Nova is wholly owned by VNC Enterprises, a Texas limited liability company. Nova's ultimate owner, Charles D. Mattingly, Jr, is also the sole member of KCL Enterprises, LLC, a Texas limited liability company that owns the Dunnell Telephone Company (DTC). DTC provides local exchange and exchange access services as an incumbent LEC, as well as resold long distance toll services, in the Dunnell exchange in Martin County in rural south central Minnesota. Nova has no ownership interest in, or affiliation with, any other entity that offers domestic telecommunications services.

Pursuant to the terms of the proposed transaction, Nova is purchasing all of the domestic telecommunications assets of BPM used in the operation of the incumbent LEC in the Noxapater, Mississippi local exchange. The Applicants state that after completion of the proposed transaction, Nova

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<sup>1</sup> 47 C.F.R § 63.03; *see* 47 U.S.C. § 214.

will own and operate the acquired Mississippi incumbent LEC business under the d/b/a trade name of Noxapater Telephone Company. Applicants state that Nova has no plans to change service rates, terms and conditions. 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.<sup>2</sup>

Domestic Section 214 Application Filed for the Assignment of Assets of BPM, Inc., d/b/a Noxapater Telephone Company to The Nova Telephone Company, WC Docket No. 14-269 (filed Dec. 31, 2014).

## **GENERAL INFORMATION**

The transfer of assets 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 22, 2015**, and reply comments **on or before January 29, 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) Tracey Wilson, Competition Policy Division, Wireline Competition Bureau, [tracey.wilson@fcc.gov](mailto:tracey.wilson@fcc.gov);
- 2) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, [dennis.johnson@fcc.gov](mailto:dennis.johnson@fcc.gov);
- 3) David Krech, Policy Division, International Bureau, [david.krech@fcc.gov](mailto:david.krech@fcc.gov);
- 4) Jim Bird, Office of General Counsel, [jim.bird@fcc.gov](mailto:jim.bird@fcc.gov).

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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,

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<sup>2</sup> 47 C.F.R. § 63.03(b)(2)(iii).

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 Tracey Wilson at (202) 418-1394 or Dennis Johnson at (202) 418-0809.

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