



PUBLIC NOTICE

Federal Communications Commission
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DA 15-853
July 23, 2015

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE
TRANSFER OF CONTROL OF SIERRA TELEPHONE COMPANY, INC.
AND SIERRA TELEPHONE LONG DISTANCE FROM
HARRY H. BAKER, JR. TO JOHN H. BAKER**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 15-171

Comments Due: August 6, 2015
Reply Comments Due: August 13, 2015

Sierra Telephone Company, Inc. (STC) and Sierra Telephone Long Distance (STLD), Harry H. Baker, Jr. by John H. Baker as Executor of the Estate of Harry H. Baker, Jr., and John H. Baker (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 of a prior, unauthorized transfer control of STC and STLD from Harry H. Baker Jr. to John H. Baker.¹

STC, a California corporation, provides incumbent local exchange carrier (LEC) services in portions of Mariposa and Madera Counties, California. STC is a wholly owned subsidiary of Sierra Tel Communications Group (STCG), a California corporation. STLD, a California corporation and a wholly owned subsidiary of STCG, provides interstate and interexchange telecommunications services in and around the area served by STC.

Harry H. Baker, Jr. controlled STC and STLD as the sole trustee of two trusts, the Harry H. Baker, Jr. 1975 Trust and the Harry H. Baker Revocable Trust (2003) (together, Baker Trusts), each of which owns 49 percent of the issued and outstanding common (voting) stock of STCG. John H. Baker is the son of Harry H. Baker, Jr. and is a United States citizen. His principal business is communications and he serves as Vice President of STC, STLD and STCG. Applicants state that John H. Baker does not have a controlling interest in any other telecommunications service provider.

Applicants state that in order to ensure the continued operations of STC and STLD, Harry H. Baker, Jr. appointed his son, as successor and sole trustee for each of the Baker Trusts that hold a

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 international services and wireless services. On July 23, 2015, the Bureau granted the Applicants' request for Special Temporary Authority to continue providing service during the Commission's review of the domestic application. Any action on this domestic section 214 application is without prejudice to Commission action on other related pending applications.

combined 98 percent of the voting stock of STCG and resigned as trustee of both trusts effective January 12, 2015. As a result, John H. Baker currently controls STC and STLD. 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

Domestic Section 214 Application Filed for the Transfer of Control of Sierra Telephone Company, Inc. and Sierra Telephone Long Distance from Harry H. Baker, Jr. to John H. Baker, WC Docket No. 15-171 (filed July 20, 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 August 6, 2015**, and reply comments **on or before August 13, 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) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, dennis.johnson@fcc.gov;
- 3) David Krech, Policy Division, International Bureau, david.krech@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

² 47 C.F.R. § 63.03(b)(2)(i).

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 Dennis Johnson at (202) 418-0809.

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