



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 16-1311
November 22, 2016

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE
ACQUISITION OF CERTAIN ASSETS OF KNOLOGY OF KANSAS, INC. BY
MIDCONTINENT COMMUNICATIONS**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 16-390

Comments Due: December 6, 2016
Reply Comments Due: December 13, 2016

Knology of Kansas, Inc. (Knology Kansas) and Midcontinent Communications (Midcontinent), (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 certain assets of Knology Kansas' operations in and around Lawrence, Kansas to Midcontinent.¹

Knology Kansas, a Delaware corporation, provides competitive local exchange carrier (LEC) and long distance service in Kansas. Knology Kansas is a wholly-owned subsidiary of Knology, Inc. (Knology), which in turn is a wholly-owned subsidiary of WideOpenWest Finance, LLC (WOW). Both Knology and WOW are organized under the laws of the State of Delaware. WOW is a communications service provider holding company and through its operating subsidiaries, including Knology Kansas, provides video, broadband services, and competitive LEC and long distance phone services in multiple states.

Midcontinent, a South Dakota general partnership, offers competitive LEC and long distance services in North Dakota, South Dakota, and portions of Minnesota. Midcontinent is also certificated as a competitive LEC in Wisconsin. Applicants state that the following U.S. entities each hold a 50 percent equity interest in Midcontinent: Midcontinent Communications Investor, LLC, a South Dakota limited liability Company, and Comcast Midcontinent, LLC, a Delaware limited liability company. Midcontinent Communications Investor, LLC is the managing partner of Midcontinent and is wholly owned by Midcontinent Media, Inc. (MMI). MMI is owned in equal shares of 50 percent each by Patrick McAdaragh and Steven Grosser, both U.S. citizens. Applicants state that Comcast Midcontinent, LLC is

¹ See 47 U.S.C. § 214; 47 CFR § 63.03. Applicants are also filing applications for the transfer of authorizations associated with international services and the assignment of an earth station registration. On November 22, 2016, Applicants filed a supplement to their domestic section 214 application. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications.

wholly owned by Comcast Corporation, a Pennsylvania corporation, and that no entity holds 10 percent or more of the equity of Comcast Corporation. Applicants further state that affiliates of Comcast Midcontinent, LLC provide competitive telecommunications services in multiple states and note that post-transaction, Comcast of Missouri, LLC will continue to provide service in adjacent areas to Lawrence, Kansas.²

Under the terms of the proposed transaction, Knology Kansas will assign to Midcontinent the assets, including network facilities and equipment, contracts, and customer base, associated with its operations in and around Lawrence, Kansas. We accept this application for streamlined processing pursuant to our authority to afford streamlining to particular applications on a case-by-case basis.³

Domestic Section 214 Application Filed for the Acquisition of Certain Assets of Knology of Kansas Inc. by Midcontinent Communications, WC Docket No. 16-390 (filed Nov. 10, 2016).

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 December 6, 2016**, and reply comments **on or before December 13, 2016**. Pursuant to section 63.52 of the Commission's rules, 47 CFR. § 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 assets 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) Tracey Wilson, Competition Policy Division, Wireline Competition Bureau, tracey.wilson@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;
- 4) David Krech, International Bureau, david.krech@fcc.gov;

² Applicants further note that post-transaction there will be no overlap of services or territories with Knology of Kansas and any other Comcast entity.

³ See *Implementation of Further Streamlining Measures for Domestic Section 214 Authorizations*, Report and Order, 17 FCC Rcd 5517, 5531-32, 5535, paras. 28, 34 (2002); 47 C.F.R. § 63.03(a).

5) Sumita Mukhoty, International Bureau, sumita.mukhoty@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 CFR. § 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 Gregory Kwan at (202) 418-1191.

- FCC -