



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
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DA 16-1411
December 19, 2016

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE
ACQUISITION OF ASSETS OF LIGHTSPEED TELECOM, LLC BY
WABASH INDEPENDENT NETWORKS, INC.**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 16-406

Comments Due: January 3, 2017
Reply Comments Due: January 10, 2017

Lightspeed Telecom, LLC (Lightspeed) and Wabash Independent Networks, Inc. (WIN) (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 the assets and authority of Lightspeed to WIN.¹

Lightspeed, an Illinois limited liability company, provides competitive local exchange carrier (LEC) and interexchange services to approximately 1,397 residential customers in Salem, Iuka, Odin, and Sandoval, Illinois, all in rural Marion County. Applicants state that Lightspeed's affiliate, US Sonet, provides broadband Internet access services to approximately 1,064 customers and video services to approximately 1,021 customers in the same area.

WIN, an Illinois corporation, is wholly owned by Wabash Telephone Cooperative, Inc. (Wabash), also an Illinois corporation. Wabash is an incumbent rural LEC providing service to nine rural exchanges in Clay, Wayne, Effingham, Jasper, Marion, Edwards, Wabash, and Richland Counties, Illinois, serving approximately 597 business and 3488 residential access lines. Applicants state that WIN provides competitive telecommunications services adjacent to, but wholly outside, the telephone service area of Wabash. In addition, Wabash provides broadband, video, and interexchange services to its own customers. Applicants further state that the service areas of neither WIN nor Wabash are overlapping or adjacent to the service area of Lightspeed or US Sonet. Applicants report that Wabash is owned by its members-subscribers and that no single member-subscriber owns or controls more than five percent of the equity interests of Wabash.

¹ See 47 U.S.C. § 214; 47 CFR § 63.03. Applicants also filed an application for authority to assign the international section 214 authorization associated with international services held by Lightspeed, File No. ITC-214-20161026-00289. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications

Pursuant to the terms of the proposed acquisition, Lightspeed will sell the entirety of its interest in operational assets, customer, and supplier contracts. Following a grant of the proposed transaction, WIN will operate the assets and business of Lightspeed and will continue to provide domestic telecommunications services to the customers of Lightspeed. Applicants assert that this proposed transaction qualifies for streamlined treatment pursuant to section 63.03(b)(2)(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 Acquisition of Assets of Lightspeed Telecom, LLC by Wabash Independent Networks, Inc., WC Docket No. 16-406 (filed Dec. 14, 2016)

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 3, 2017**, and reply comments **on or before January 10, 2017**. 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) Jodie May, Competition Policy Division, Wireline Competition Bureau, jodie.may@fcc.gov;
- 3) David Krech and Sumita Mukhoty, International Bureau, david.krech@fcc.gov; sumita.mukhoty@fcc.gov;
- 4) Jim Bird, Office of General Counsel, 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

² 47 CFR § 63.03(b)(2)(ii).

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 Jodie May at (202) 418-0913.

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