



# PUBLIC NOTICE

Federal Communications Commission  
445 12<sup>th</sup> St., S.W.  
Washington, D.C. 20554

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DA 16-1418  
December 20, 2016

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE ACQUISITION OF ASSETS OF  
INTERSTATE 35 TELEPHONE COMPANY AND  
SOUTHWEST TELEPHONE EXCHANGE, INC.  
BY FMTC-I35, INC.**

**STREAMLINED PLEADING CYCLE ESTABLISHED**

**WC Docket No. 16-404**

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

Interstate 35 Telephone Company (Interstate 35), Southwest Telephone Exchange, Inc. (Southwest), and FMTC-I35 (FMTC) (together, the 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 authorization to transfer assets of Interstate 35 and Southwest to FMTC.<sup>1</sup>

Interstate 35, an Iowa corporation, operates as an incumbent local exchange carrier (LEC) in an area that encompasses the Truro, St. Charles, and St. Mary's exchanges in Madison, Warren, and Clark Counties in south central Iowa. Southwest, also an Iowa corporation, is a wholly owned subsidiary of Interstate 35 that operates as an incumbent LEC in an area that encompasses the Emerson, Henderson, and Imogene exchanges in Mills, Fremont, Montgomery, Pottawattamie, and Page Counties in southwestern Iowa. Applicants state that Interstate 35 and Southwest also provide resold interstate and intrastate long distance toll services to their incumbent LEC customers.

FMTC (formerly FMTC Voice Services, Inc.), which currently has no active business operations, is a wholly owned subsidiary of Farmers Mutual Telephone Company (Farmers Mutual), and both are Iowa corporations. Farmers Mutual and Farmers Telephone Company (Farmers Telephone), an Iowa corporation and wholly owned subsidiary of Farmers Mutual, operate as incumbent LECs.<sup>2</sup> Farmers

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<sup>1</sup> See 47 U.S.C. § 214; 47 CFR § 63.03. On December 16, 2016, Applicants filed a supplement to their domestic 214 Application. Applicants state they plan to file an application for the transfer of authorizations associated with international services. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications.

<sup>2</sup> Applicants state that Farmers Mutual and Farmers Telephone provide incumbent LEC services under the name of OmniTel Communications (OmniTel), an Iowa corporation.

Mutual serves the Nora Springs, Floyd, Rudd, and Rockford exchanges in Floyd County in northeastern Iowa. Farmers Telephone serves the Little Cedar, New Haven, Riceville, Plymouth, Rock Falls, and McIntyre exchanges in Mitchell, Howard, and Cerro Gordo Counties in northeastern Iowa. In addition, OmniTel Communications, Inc. (OmniTel Inc.), an Iowa corporation and wholly owned subsidiary of Farmers Mutual, operates as a competitive LEC serving the Stacyville, St. Ansgar, Marble Rock, and Greene exchanges in Mitchell, Floyd, and Butler Counties in northeastern Iowa. Altogether, the OmniTel organization provides local exchange telephone service to fourteen exchanges in Floyd, Mitchell, Howard, Cerro Gordo, and Butler Counties in northeastern Iowa. Applicants state that no individual or entity directly or indirectly owns 10 percent or more of Farmers Mutual.<sup>3</sup>

The proposed transaction is a sale of substantially all of the wireline assets of Interstate 35 and Southwest that are used to provide local and long distance telecommunications and other services. Applicants state that the Interstate 35 and Southwest wireline assets will be transferred to, and operated by, FMTC, which will continue to provide incumbent LEC services in each of their existing and separate service territories. Applicants further state that Interstate 35 and its affiliates are retaining their wireless telecommunications interests and assets, which are not a part of the proposed transaction. 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>4</sup>

Domestic Section 214 Application Filed for the Acquisition of Assets of  
Interstate 35 Telephone Company and Southwest Telephone Exchange, Inc. by FMTC-I35, Inc.,  
WC Docket No. 16-404 (filed Dec. 12, 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 January 3, 2017**, and reply comments **on or**

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<sup>3</sup> Applicants state that Farmers Mutual also owns: (1) a non-controlling 21.52 percent interest in Alpine Communications L.C. (Alpine), an Iowa corporation, which is an independent local exchange carrier that provides local exchange telephone service and exchange access to seven exchanges (Elgin, Elkader, Garber, Garnavillo, Guttenberg, Marquette and McGregor) in Fayette and Clayton Counties in northeastern Iowa. Applicants state Alpine serves a total of approximately 4,600 access lines in these Iowa exchanges; (2) 100 percent of FMTC Wireless, Inc., which is the licensee of Broadband PCS Stations WPOM492 and WPOM493, which provide PCS services in north central Iowa in partitioned submarkets of the Des Moines-Quad Cities Major Trading Area (MTA 032); (3) a non-controlling 33.33 percent interest in FWC Communications Inc., an Iowa corporation, which is the licensee of Broadband PCS Station WPSF616, which provides PCS services in north central Iowa in partitioned submarkets of the Des Moines-Quad Cities Major Trading Area (MTA 032); and (4) a non-controlling 2.118 percent interest in Hilbert Communications, LLC, a Wisconsin limited liability company that is a regional provider of telecommunications products and services to residential and commercial customers in the upper Midwest. Applicants state that there are no overlapping service areas between these Farmer Mutual affiliates. Applicants also state that Farmers Mutual is an authorized dealer for the cellular services of I-Wireless, a T-Mobile affiliate, in the Nora Springs, Iowa area.

<sup>4</sup> 47 CFR § 63.03(b)(2)(iii).

**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](mailto:tracey.wilson@fcc.gov);
- 2) Gregory Kwan, Competition Policy Division, Wireline Competition Bureau, [gregory.kawan@fcc.gov](mailto:gregory.kawan@fcc.gov);
- 3) Jim Bird, Office of General Counsel, [jim.bird@fcc.gov](mailto:jim.bird@fcc.gov);
- 4) David Krech, International Bureau, [david.krech@fcc.gov](mailto:david.krech@fcc.gov); and
- 5) Sumita Mukhoty, International Bureau, [sumita.mukhoty@fcc.gov](mailto: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](mailto: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.

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