



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 16-1445
December 22, 2016

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE
TRANSFER OF CONTROL OF LYNX NETWORK GROUP, INC. TO
EVERSTREAM GLC HOLDING COMPANY, LLC**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 16-398

Comments Due: January 5, 2017
Reply Comments Due: January 12, 2017

Lynx Network Group, Inc. (Lynx) and Everstream GLC Holding Company, LLC (Everstream) (collectively, 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 approval to transfer control of Lynx to Everstream.¹

Lynx, a Michigan corporation, provides telecommunications services in rural and metro areas throughout Michigan. Everstream, a Delaware limited liability company, provides telecommunications services in the states of Michigan, Illinois, Indiana, Ohio, and Wisconsin. Everstream is ultimately held and controlled by M/C Partners VII, L.P. (M/C Partners) (80 percent interest), a Delaware limited partnership. No other person or entity owns or controls 10 percent or more interest in M/C Partners.²

Pursuant to the terms of the proposed transaction, Everstream propose to acquire, through a "reverse triangular merger," all of the equity interest of Lynx. After consummation of the proposed transaction, Lynx will continue its corporate existence as a wholly owned subsidiary of Everstream. 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.³

Domestic Section 214 Application Filed for the Transfer of Control of

¹ See 47 U.S.C. § 214; 47 CFR § 63.03. On December 16, 2016, Applicants filed a supplement to their domestic section 214 application.

² The following U.S. citizens are the managing partners of M/C Partners: Gillis S. Cashman; Brian M. Clark; David D. Croll; Robert Savignol; James F. Wade; and John W. Watkins. Applicants state that M/C Partners does not own more than a 10 percent interest in any other telecommunications carrier.

³ 47 CFR § 63.03(b)(2)(i).

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 5, 2017**, and reply comments **on or before January 12, 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 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) Gregory Kwan, Competition Policy Division, Wireline Competition Bureau, gregory.kwan@fcc.gov;
- 3) 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 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 Myrva Freeman at (202) 418-1506 or Gregory Kwan at (202) 418-1191.

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