



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <https://www.fcc.gov>
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DA 16-493
May 4, 2016

DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF MOUNDRIDGE TELEPHONE COMPANY AND MOUNDRIDGE TELECOM, INC.

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 16-125

Comments Due: May 18, 2016

Reply Comments Due: May 25, 2016

The Carl C. Krehbiel Revocable Trust, dated December 2, 1992 (Krehbiel Trust)¹ and Harry M. Weelborg, J. Sommer Smith, and Troy Smith (together, Buyers) 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 Emmental, Inc. (Emmental), a Kansas holding company, which wholly owns Moundridge Telephone Company (Moundridge) and Moundridge's wholly owned subsidiary Moundridge Telecom, Inc. (MTI), from the Krehbiel Trust to the Buyers.²

Moundridge, a Kansas corporation, is a rural incumbent local exchange carrier (LEC), providing telecommunications services in portions of McPherson, Harvey and Marion Counties in central Kansas. Moundridge wholly owns MTI, a Kansas corporation, which is a long distance toll service reseller providing telecommunications services in Moundridge's local exchange service area. Moundridge is wholly owned by Emmental, a Kansas holding company, which does not directly provide domestic telecommunications services. Emmental is wholly owned by the Krehbiel Trust.

Harry M. Weelborg is presently the Vice President and General Manager of Emmental, Moundridge, and MTI. J. Sommer Smith and Troy Smith are Mr. Weelborg's daughter and son-in-law. Mr. Weelborg, J. Smith, and Troy Smith are all U.S. citizens and do not have any other ownership interests in any other telecommunications providers.

Pursuant to the terms of the proposed transaction, the Buyers will purchase all of the issued and outstanding common stock of Emmental from Krehbiel Trust. This stock purchase will give the Buyers control of Emmental and its assets, including Moundridge, MTI and their blanket domestic section 214 authorizations. Applicants state that the Buyers, all U.S. citizens, will hold the following interests in Emmental: Harry M. Weelborg (51 percent); J. Sommer Smith (25 percent); Troy Smith (24 percent). Applicants assert that this proposed transaction qualifies for presumed streamlined treatment pursuant to

¹ The Trustee of the Krehbiel Trust is Carl C. Krehbiel.

² 47 C.F.R. § 63.03; 47 U.S.C. § 214.

section 63.03(b)(1)(ii) 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 Moundridge Telephone Company and Moundridge Telecom, Inc. from The Carl C. Krebbiel Revocable Trust to Harry M. Weelborg, J. Sommer Smith, and Troy Smith LLC, WC Docket No. 16-125 (filed Apr. 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 May 18, 2016**, and reply comments **on or before May 25, 2016**. 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) Tracey Wilson, Competition Policy Division, Wireline Competition Bureau, tracey.wilson@fcc.gov;
- 2) Gregory D. 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

³ 47 C.F.R. § 63.03(b)(1)(ii).

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 Tracey Wilson at (202) 418-1394 or Gregory Kwan at (202) 418-1191.

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