



PUBLIC NOTICE

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

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Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 16-610
June 2, 2016

DOMESTIC SECTION 214 APPLICATION FILED FOR THE ACQUISITION OF CERTAIN ASSETS OF iTV-3, INC. BY iTV-3, LLC

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 16-148

Comments Due: June 16, 2016
Reply Comments Due: June 23, 2016

iTV-3, Inc. and iTV-3, LLC (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 approval of the transfer of substantially all of iTV-3, Inc's assets to iTV-3, LLC.¹

iTV, Inc., an Illinois corporation, is a local exchange carrier providing high speed Internet access, voice and television service to communities in Central Illinois. The following U.S. entities and individuals hold a ten percent or greater direct ownership interest in iTV-3, Inc.: Family Communications, LLC (100 percent), Highland Ventures, Ltd. (100 percent) (through a 100 percent interest in Family Communications, LLC) and Keith Hoogland (22 percent) (through a 22 percent interest in Highland Ventures, Ltd.). iTV-3, LLC, a Delaware limited liability company, currently does not offer domestic telecommunications services.²

Pursuant to the terms of the proposed transaction, the Applicants state iTV-3, LLC will acquire and assume substantially all of the assets and business of iTV-3, Inc. Applicants further state that there will be no reduction, impairment, or discontinuance of service to any customer as a result of the proposed

¹ See 47 U.S.C. § 214; 47 C.F.R § 63.03.

² The following U.S. entities hold a 10 percent or greater direct ownership interest in iTV-3, LLC: Seaport/CWB iTV-3 Holdings, LLC (100 percent), Seaport iTV-3 Investors, LLC (97.2 percent) (through 97.2 interest in Seaport/CWB-iTV-3 Holdings, LLC), Seaport Associates IV, LLC (97.2 percent) (as Managing member of and 100 percent voting interest in Seaport iTV-3 Investors, LLC). In addition, William Luby, a U.S. Citizen, has a 48.6 percent interest in iTV-3, LLC (through a 50 percent equity interest in Seaport iTV-3 Investors, LLC and 50 percent interest in Seaport Associates IV, LLC), and James Collis, also a U.S. citizen, has a 48.6 percent interest in iTV-3, LLC (through 50 percent equity interest in Seaport iTV-3 Investors, LLC and 50 percent interest in Seaport Associates IV, LLC). See also Letter from Craig A. Gilley, Counsel for iTV-3, LLC, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 16-148 (filed Jun. 1, 2016) (stating that Seaport/CWB iTV-3 Holdings, LLC, Seaport iTV-3 Investors, LLC, Seaport Associates IV, LLC, William Luby or James Collis, do not currently hold a 10% or greater ownership interest in any domestic telecommunications carrier).

transaction. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under 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 Acquisition of Certain Assets of iTV-3, Inc. by iTV-3, LLC, WC Docket No. 16-148 (filed May. 3, 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 June 16, 2016**, and reply comments **on or before June 23, 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 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

³ 47 C.F.R. § 63.03(b)(1)(ii).

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 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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