



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

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DA 16-782
July 7, 2016

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE
ACQUISITION OF ASSETS OF SANCOM INC. D/B/A MITCHELL TELECOM
BY ATV HOLDINGS, LLC**

NON-STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 16-207

Comments Due: July 21, 2016
Reply Comments Due: July 28, 2016

Sancom Inc. d/b/a Mitchell Telecom (Mitchell Telecom) and ATV Holdings, LLC (ATV Holdings) (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 assets and operating authority of Mitchell Telecom to ATV Holdings.¹

Mitchell Telecom, a South Dakota corporation, is a competitive local exchange carrier (LEC) serving nearly 2700 access lines and also provides cable TV service in Mitchell, South Dakota. It is wholly owned and controlled by Santel Communications Cooperative, Inc. (Santel). Santel provides incumbent LEC, long distance, and cable TV services in the Alpena, Artesian, Dimock, Ethan, Fedora, Forestburg, Letcher, Mt. Vernon, Parkston, Storla, Tripp, Virgil, Wolsey, and Woonsocket areas of South Dakota.

ATV Holdings is a South Dakota limited liability company that does not currently offer telecommunications services. It is owned in equal parts by the following U.S. based incumbent LECs: Alliance Communications Cooperative, Inc. (Alliance) (33 percent), Triotel Communications, Inc. (Triotel) (33 percent), and Venture Communications Cooperative (Venture) (33 percent). Applicant state that these entities serve approximately 26,751 customers in eastern South Dakota, southwestern Minnesota, and northwestern Iowa. Applicants further state that no other entity owns 10 percent or more of ATV Holdings. Applicants do not request streamlined processing for this application under the Commission's rules² and state that the service area of Mitchell Telecom is adjacent to Triotel's service area and that the service areas of Alliance, Triotel, and Venture are adjacent to Santel's service area.

¹ See 47 C.F.R. § 63.03; 47 U.S.C. § 214. Applicants state that they are also filing a notice of assignment of a satellite earth station registration. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications. Applicants filed a supplement to their domestic section 214 application on July 6, 2016.

² 47 C.F.R. § 63.03.

Pursuant to the terms of the proposed transaction, ATV Holdings will purchase substantially all of the assets and operations of Mitchell Telecom pursuant to an asset purchase agreement, and intends to continue the operations as a competitive LEC. Applicants state that ATV Holdings will continue to provide high-quality telecommunications services to Mitchell Telecom's existing customers without interruption, and that the proposed transaction will enhance competition because ATV Holdings has the experience to compete against incumbent providers in the Mitchell community.

Domestic Section 214 Application Filed for the Acquisition of Assets of Sancom Inc. d/b/a Mitchell Telecom by ATV Holdings, LLC, WC Docket No. 16-207 (filed June. 23, 2016).

GENERAL INFORMATION

The transfer of control and assets identified herein has been found, upon initial review, to be acceptable for filing as a non-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 July 21, 2016**, and reply comments **on or before July 28, 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.

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, Wireline Competition Bureau, myrva.freeman@fcc.gov;
- 2) Jodie May, Wireline Competition Bureau, jodie.may@fcc.gov
- 3) Jim Bird, Office of General Counsel, jim.bird@fcc.gov;
- 4) David Krech, International Bureau, david.krech@fcc.gov;
- 5) Sumita Mukhoty, International Bureau, 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 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 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 Myrva Freeman at (202) 418-1506 or Jodie May at (202) 418-0913.

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