



PUBLIC NOTICE

Federal Communications Commission
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News Media Information 202 / 418-0500
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DA 17-170
February 15, 2017

DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF ITV-3, LLC

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 17-37

Comments Due: March 1, 2017
Reply Comments Due: March 8, 2017

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on the February 2, 2017 application filed by ITV-3, LLC (ITV-3), 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 ITV-3 from James Collis and William Luby to M. Scott McCormack and Robert Tamashunas.¹

ITV-3, LLC, a Delaware limited liability company, is a competitive local exchange carrier providing telecommunications services to communities in Central Illinois. Ownership of ITV-3 is held, and will continue to be held post-consummation, by and through an ownership chain involving a series of holding companies and persons affiliated with Seaport Capital, LLC (Seaport Capital), a U.S.-based investment entity.² Currently, Applicants state that James Collis and William Luby, both U.S. citizens, together hold a 100 percent attributable interest in ITV-3 as joint managing members of Seaport Associates V, LLC (Seaport Associates V), a Delaware limited liability company, which is also a holding company and parent of ITV-3.

Applicants seek consent to a transfer of control between individual partners associated with Seaport Capital whereby ultimate control of ITV-3 will change from James Collis and William Luby to M. Scott McCormack and Robert Tamashunas, both U.S. citizens. After consummation of the proposed transaction, Applicants state that Mr. McCormack and Mr. Tamashunas will together hold 100 percent of the attributable interest in ITV-3 as joint managing members of Seaport Associates V. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(1)(ii)

¹ See 47 U.S.C. § 214; 47 CFR § 63.03.

² Applicants state that Seaport Capital does not have any other telecom interests. Applicants filed supplements to their application on February 8, 10, and 14, 2017, including a chart depicting the Seaport Capital affiliated and related entities as well as the pre and post-ownership structure of the proposed transaction.

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 ITV-3, LLC,
WC Docket No. 17-37 (filed Feb. 2, 2017).

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 March 1, 2017**, and reply comments **on or before March 8, 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

³ 47 CFR § 63.03(b)(1)(ii).

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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