



PUBLIC NOTICE

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**DOMESTIC SECTION 214 APPLICATION GRANTED FOR THE
TRANSFER OF CONTROL OF SOVERNET, INC., ION HOLDCO, LLC,
SOVERNET FIBER CORP., AND
NATIONAL MOBILE COMMUNICATIONS CORPORATION TO
OHCP NORTHEASTERN FIBER BUYER, INC.**

WC Docket No. 16-266

By this Public Notice, the Wireline Competition Bureau (Bureau) grants the application filed by ATN International, Inc. (ATN International) and OHCP Northeastern Fiber Buyer, Inc. (OHCP Buyer) (together, Applicants), 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 control of Sovernet, Inc., ION Holdco, LLC, Sovernet Fiber Corp., and National Mobile Communications Corporation (collectively, Licensees) from ATN International to OHCP Buyer.¹

On September 28, 2016, the Bureau released a Public Notice requesting comment on the Application.² On October 26, 2016, the Department of Justice (DOJ), with the concurrence of the U.S. Department of Homeland Security and the U.S. Department of Defense (collectively, the Executive Branch Agencies), filed a letter requesting that the Commission defer action on this proceeding while they completed their review of any national security, law enforcement, and public safety issues.³ We deferred action in response to the Executive Branch Agencies' request. On February 21, 2017, the Executive Branch Agencies notified the Bureau that they withdraw their request to defer action.⁴ They state that, based on the information provided to them by the Applicants and their analysis of potential national security, law enforcement, and public safety issues, they have no objection to the Application.

¹ See 47 U.S.C. § 214; 47 CFR § 63.03. *Domestic Section 214 Application Filed for the Transfer of Control of Sovernet, Inc., ION Holdco, LLC, Sovernet Fiber Corp., and National Mobile Communications Corporation to OHCP Northeastern Fiber Buyer, Inc.*, WC Docket No. 16-266 (filed Aug. 18, 2016) (Application). Applicants filed a supplement to their application on September 20, 2016. Letter from Patrick S. Campbell and Craig Gilley, Counsel to the Applicants, to Marlene H. Dortch, FCC, WC Docket No. 16-266 (filed Sept. 20, 2016). Licensees provide competitive telecommunications services in Massachusetts, New Hampshire, New York, Pennsylvania, and Vermont. OHCP Buyer does not itself provide telecommunications services but is affiliated with competitive telecommunications providers offering service in these and other states.

² *Domestic Section 214 Application Filed for the Transfer of Control of Sovernet, Inc., ION Holdco, LLC, Sovernet Fiber Corp., and National Mobile Communications Corporation to OHCP Northeastern Fiber Buyer, Inc.*, Public Notice, 31 FCC Rcd 10863 (WCB 2016).

³ Letter from Bermel R. Paz, U.S. Department of Justice, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 16-266 (filed Oct. 26, 2016).

⁴ Letter from Bermel R. Paz, U.S. Department of Justice, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 16-266 (filed Feb. 21, 2017).

No comments were filed in opposition to a grant of the Application, and the Bureau finds, upon consideration of the record, that grant of the Application will serve the public interest, convenience, and necessity.⁵ Pursuant to section 1.103 of the Commission's rules, 47 C.F.R. § 1.103, the grant is effective upon release of this Public Notice. Petitions for reconsideration under section 1.106 or applications for review under section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of this Public Notice.

For further information, please contact Dennis Johnson, Wireline Competition Bureau, Competition Policy Division, (202) 418-0809.

⁵ 47 CFR § 63.03(b); see *Applications Filed by Qwest Communications and CenturyTel, Inc. d/b/a CenturyLink for Consent to Transfer Control*, Memorandum Opinion and Order, 26 FCC Rcd 4194, 4202, para. 15 (2011) (referring to Applicants' overlapping competitive (local exchange carrier) LEC operations and stating "[r]ather than harming competition, we believe that the combination of the Applicants' facilities in these markets could result in a stronger competitive LEC and enhance the merged company's ability to compete against the incumbent LEC."); *Applications Filed for the Transfer of Control of tw telecom inc. to Level 3 Communications, Inc.*, Memorandum Opinion and Order, 29 FCC Rcd 12842, 12847, para. 14 (WCB/IB 2014) (finding that the combination of two competitive LECs with largely complimentary networks could be a stronger competitor to incumbent LECs and large national providers, thereby resulting in benefits for consumers).