



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

News Media Information 202 / 418-0500
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DA 17-378
April 20, 2017

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE
TRANSFER OF CONTROL OF ETS TELEPHONE COMPANY, INC.
AND ETS CABLEVISION, INC. TO ACME COMMUNICATIONS, INC.**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 17-94

Comments Due: May 4, 2017

Reply Comments Due: May 11, 2017

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on the application filed by ETS Telephone Company, Inc. (ETS) and ETS Cablevision, Inc. (ETS Cablevision) (together, Licensees), En-Touch Holdings, LLC (Holdings), and ACME Communications, Inc. (ACME), 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 ETS and ETS Cablevision from Holdings to ACME.¹

ETS, a Delaware corporation and wholly owned subsidiary of En-Touch, also a Delaware corporation, provides competitive local exchange carrier (LEC) and long distance services to business and residential customers in the Houston, Texas area. ETS Cablevision, a Delaware corporation and wholly owned subsidiary of ETS, is a competitive provider of cable and voice services to customers in the Houston, Texas area. Holdings, a Delaware limited liability company, is a securities holding company and the sole shareholder of En-Touch. ACME, a Texas corporation, does not provide telecommunications services or have any affiliates that provide telecommunications services. Applicants state that Jim Chiu, a U.S. citizen, has a direct 95 percent ownership interest in ACME.

Pursuant to the terms of the proposed transaction, Holdings would sell all of the outstanding stock of En-Touch to ACME. As a result, ACME would acquire all of the ownership interests in En-Touch and, indirectly, Licensees. Applicants assert that the proposed transaction is entitled to presumptive

¹ See 47 U.S.C. § 214; 47 CFR § 63.03. Applicants also filed applications for the transfer of authorizations associated with international services. 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 April 18, 2017.

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.²

Domestic Section 214 Application Filed for the Transfer of Control of ETS Telephone Company, Inc. and ETS Cablevision, Inc. to ACME Communications, Inc., WC Docket No. 17-94 (filed Apr. 10, 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 May 4, 2017**, and reply comments **on or before May 11, 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) Tracey Wilson, Competition Policy Division, Wireline Competition Bureau, tracey.wilson@fcc.gov;
- 2) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, dennis.johnson@fcc.gov;
- 3) David Krech, International Bureau, david.krech@fcc.gov;
- 4) Sumita Mukhoty, International Bureau, sumita.mukhoty@fcc.gov, and
- 5) 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

² 47 CFR § 63.03(b)(1)(ii).

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 CFR § 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 Dennis Johnson at (202) 418-0809.

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