



PUBLIC NOTICE

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

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DA 18-388
April 17, 2018

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL
OF NICHOLVILLE TELEPHONE COMPANY, INC. AND
SLIC NETWORK SOLUTIONS, INC. TO ATLAS CONNECTIVITY, LLC**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 18-57

Comments Due: May 1, 2018
Reply Comments Due: May 8, 2018

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on applications filed by Nicholville Telephone Company, Inc. (Nicholville), SLIC Network Solutions, Inc. (SLIC), and Atlas Connectivity, LLC (Atlas) (collectively, Applicants), pursuant to section 214 of the Communications Act of 1934, as amended, and sections 63.03-04 of the Commission's rules, requesting consent to transfer control of Nicholville, and its wholly owned subsidiary, SLIC, to Atlas.¹

Nicholville, a New York corporation, serves as a rural incumbent local exchange carrier (LEC) covering more than 200 square miles in the St. Lawrence Valley and Adirondack Mountains in northern New York State (North Country), in and around Nicholville, New York. SLIC, a New York corporation, is wholly owned by Nicholville and serves as a competitive LEC with approximately 6,000 customers in and around North County.

Atlas, a Delaware limited liability company, was formed for the purposes of the proposed transaction and will not itself provide telecommunications services. Applicants state that after the consummation of the proposed transaction, the following U.S. citizens and Delaware entities will hold a 10 percent or greater interests in Atlas: Bradley Pattelli and family (13.8 percent); 5LOOP, LLC (5LOOP) (57.6 percent); and Rock Island Capital Fund II, L.P. (Rock Island Capital) (43.8 percent).² Applicants state that no other individual or entity will hold a 10 percent or greater interest in Atlas.

¹ See 47 U.S.C. § 214; 47 CFR §§ 63.03-04. On April 13, 2018, Applicants filed a supplement to their domestic section 214 application. Applicants also filed applications for the transfer of authorizations associated with international services. Any action on the domestic section 214 applications is without prejudice to Commission action on other related, pending applications.

² Applicants state that the voting interests in Atlas held by Bradley Pattelli and his family are voted by

Pursuant to the terms of the proposed transaction, Nicholville will transfer all its regulated assets to Nicholville Telco LLC (Nicholville Telco), a newly formed New York limited liability company that will be wholly owned by Atlas. Applicants state that, post-consummation, Nicholville Telco will replace Nicholville as the incumbent LEC and Nicholville will cease operations and merge into its currently wholly owned subsidiary, SLIC. Following the consummation of the proposed transaction, Nicholville Telco and SLIC will be wholly owned direct subsidiaries of Atlas. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under sections 63.03 (b)(1)(ii) of the Commission's rules and that a grant of the applications will serve the public interest, convenience, and necessity.³

Domestic Section 214 Application Filed for the Transfer of Control of Nicholville Telephone Company, Inc. and SLIC Network Solutions, Inc. to Atlas Connectivity, LLC, WC Docket No. 18-57 (filed Feb. 26, 2018).

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 1, 2018**, and reply comments **on or before May 8, 2018**. 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 using the Commission's Electronic Comment Filing System (ECFS): <http://apps.fcc.gov/ecfs/>.

5LOOP, the Managing Member of which is Rock Island Capital. Rock Island Capital is controlled by its general partner RIC GP II, a Delaware limited liability company. The following U.S. citizens are the managing members of RIC GP II: Patrick Hartman, Alfred Mattaliano, and Michael Nugent. Additional information regarding the ownership of Atlas is available in the application and supplement.

³ 47 CFR § 63.03(b)(1)(ii).

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) 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.

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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 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 Gregory Kwan at (202) 418-1191.

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