



PUBLIC NOTICE

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

News Media Information 202 / 418-0500
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DA 18-48
January 16, 2018

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL
OF PEOPLES MUTUAL TELEPHONE COMPANY
AND PEOPLES MUTUAL LONG DISTANCE COMPANY
TO RIVERSTREET MANAGEMENT SERVICES, LLC**

NON-STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 17-365

Comments Due: January 30, 2018
Reply Comments Due: February 6, 2018

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on an application filed by Consolidated Communications Holdings, Inc. (CCHI) and RiverStreet Management Services, LLC (RiverStreet) (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 the section 214 authorizations held by CCHI's indirect subsidiaries, Peoples Mutual Telephone Company (PMTTC) and its wholly owned subsidiary, Peoples Mutual Long Distance Company (PMLDC) (together, the Peoples Companies) to RiverStreet.¹

PMTTC, a Virginia corporation, provides incumbent local exchange carrier (LEC) service to rural communities in Pittsylvania County, Virginia. PMLDC, a Virginia corporation, is a subsidiary of PMTTC that provides interexchange services in and around PMTTC's incumbent service territory. PMTTC is ultimately held by CCHI, a Delaware corporation, that provides incumbent LEC and competitive LEC services in 24 states.

RiverStreet, a North Carolina corporation, is a holding company with no current operations. RiverStreet's parent, Wilkes Telephone Membership Corporation (WTMC), a North Carolina cooperative association that provides incumbent LEC services to approximately 8,853 subscribers in the exchanges of Boomer, Champion, Clingman, and Lomax in western North Carolina, in and around Wilkes County.² RiverStreet owns 100 percent of the issued and outstanding stock of three

¹ See 47 U.S.C. § 214; 47 CFR §§ 63.03-04. 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.

² Applicants state that WTMC owns 100% of the equity interests of Wilkes Communications, Inc. (WCI), a

other rural North Carolina incumbent LECs: Barnardsville Telephone Company, Inc., Saluda Mountain Telephone Company, Inc., and Service Telephone Company, Inc.³ Subsidiaries of RiverStreet and WTMC also provide competitive LEC services and other telecommunications services in North Carolina.⁴

RiverStreet proposes to acquire all the stock of PMTC, thereby acquiring control of that company and its subsidiary, PMLDC. After consummation of the proposed transaction, the Peoples Companies will continue to exist and operate in their existing corporate formats and under existing corporate names, but it is anticipated that they will do business under the name, RiverStreet Communications. The Peoples Companies will continue to provide service pursuant to existing rates, terms, and conditions for the near term. Applicants assert that a grant of the application will serve the public interest, convenience, and necessity. Because the transaction is more complex than usual, in order to analyze whether the proposed transaction would serve the public interest, this application will not be streamlined.⁵

Domestic Section 214 Application Filed for the Transfer of Control of Peoples Mutual Telephone Company and Peoples Mutual Long Distance Company to RiverStreet Management Services, LLC, WC Docket No. 17-365 (filed Dec. 21, 2017).

GENERAL INFORMATION

The application identified herein has been found, upon initial review, to be acceptable for filing. The Commission reserves the right to return any application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies.

Interested parties may file comments and petitions **on or before January 30, 2018**, and reply comments or oppositions to petitions **on or before February 6, 2018**. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by paper. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- Electronic Filers: Comments may be filed electronically by accessing ECFS at <http://apps.fcc.gov/ecfs/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. Paper filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail.

North Carolina corporation providing competitive LEC services in areas bordering WTMC's incumbent LEC operations and that provides long distance and video services in the incumbent LEC and competitive LEC footprints of WTMC. Applicants further state that WTMC is owned by its members/subscribers and that no single member/subscriber owns or controls more than 5% of WTMC's equity.

³ RiverStreet separately has entered into a stock Purchase Agreement whereby it will acquire the outstanding stock of Ellerbe Telephone Company, an incumbent LEC that serves the Ellerbe, North Carolina exchange.

⁴ See Application for a complete description of RiverStreet's affiliates that provide telecommunications services.

⁵ 47 CFR § 63.03(c)(1)(v).

- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. All envelopes and boxes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554.

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 and Governmental Affairs Bureau at 202-418-0530 (voice), 1-888-835-5322 (tty).

In addition, please provide one copy of each pleading to each of the following:

- 1) Jim Bird, Office of General Counsel, transactionteam@fcc.gov;
- 2) Dennis Johnson, Wireline Competition Bureau, dennis.johnson@fcc.gov;
- 3) Tracey Wilson, Wireline Competition Bureau, tracey.wilson@fcc.gov;
- 4) David Krech, International Bureau, david.krech@fcc.gov;
- 5) Sumita Mukhoty, International Bureau, sumita.mukhoty@fcc.gov.

The proceeding in this Notice shall be treated as a permit-but-disclose proceeding in accordance with the Commission's *ex parte* rules.⁶ 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 data or arguments already reflected in the presenter's written comments, memoranda, or other filings in the proceeding, then 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.

To allow the Commission to consider fully all substantive issues regarding the Applications in as timely and efficient a manner as possible, petitioners and commenters should raise all issues in their initial filings. New issues may not be raised in responses or replies.⁷ A party or interested person seeking to raise a new issue after the pleading cycle has closed must show good cause why it was not possible for it to have raised the issue previously. Submissions after the pleading cycle has

⁶ 47 CFR § 1.1200 *et seq.*

⁷ See 47 CFR § 1.45(c).

closed that seek to raise new issues based on new facts or newly discovered facts should be filed within 15 days after such facts are discovered. Absent such a showing of good cause, any issues not timely raised may be disregarded by the Commission.

For further information, please contact Tracey Wilson at (202) 418-1394 or Dennis Johnson at (202) 418-0809.

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