



PUBLIC NOTICE

Federal Communications Commission
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DA 18-54
January 18, 2018

**DOMESTIC SECTION 214 APPLICATIONS FILED FOR THE TRANSFER OF
CONTROL OF APPIA COMMUNICATIONS, INC. AND
BROADRIVER COMMUNICATION CORPORATION TO CALLTOWER, INC.**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 18-1

Comments Due: February 1, 2018

Reply Comments Due: February 8, 2018

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on applications filed by Appia Communications, Inc. (Appia) and its subsidiary, BroadRiver Communication Corporation (BroadRiver), and CallTower, Inc. (CallTower) (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 Appia and BroadRiver to CallTower.¹

Appia, a Michigan corporation, provides competitive telecommunications services in Michigan, as well as Voice over Internet Protocol (VoIP) and other services in multiple states. BroadRiver, a Delaware corporation, provides competitive telecommunications services in Georgia and Alabama.

CallTower, a Delaware corporation, does not provide telecommunications services. Applicants state that Kenneth Olivier, a U.S. citizen with no other telecommunications ownership interests, owns 68 percent of the shares of CallTower.

Pursuant to the terms of the proposed transaction, CallTower will purchase 100 percent of the outstanding stock of Appia. This will result in CallTower holding a direct controlling interest in Appia and an indirect controlling interest in BroadRiver. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(i) of the

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 the domestic section 214 applications is without prejudice to Commission action on other related, pending applications.

Commission's rules and that a grant of the applications will serve the public interest, convenience, and necessity.²

Domestic Section 214 Applications Filed for the Transfer of Control of Appia Communications, Inc. and BroadRiver Communication Corporation to CallTower, Inc., WC Docket No. 18-1 (filed Jan. 2, 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 February 1, 2018**, and reply comments **on or before February 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/>.

In addition, e-mail one copy of each pleading to each of the following:

- 1) Myrva.Charles, Competition Policy Division, Wireline Competition Bureau, myrva.charles@fcc.gov;
- 2) Jodie May, Competition Policy Division, Wireline Competition Bureau, jodie.may@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 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

² 47 CFR § 63.03(b)(2)(i).

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 Myrva Charles at (202) 418-1506 or Jodie May at (202) 418-0913.

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