



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

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DA 19-1209
November 25, 2019

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL
OF VELOCITY NETWORKS OF KENTUCKY, INC. TO
RURAL BROADBAND CONSULTING, INC.**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 19-344

Comments Due: December 9, 2019

Reply Comments Due: December 16, 2019

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on an application filed by FEH Investments LLC (FEH), Tammy Thurston, and Rural Broadband Consulting, Inc. (RBC) (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 Velocity Networks of Kentucky, Inc. (Velocity) from FEH and Ms. Thurston to RBC.¹

Velocity, a Kentucky corporation, serves as a competitive local exchange carrier (LEC) to under 500 access lines in Central Kentucky in the communities of Bowling Green and Owensboro. Velocity also provides long distance toll services to customers within its competitive LEC service areas. Velocity is currently owned by FEH (85%), a Kentucky limited liability company, and Ms. Thurston (15%), a U.S. citizen.

RBC, a North Carolina corporation, is a broadband consulting company that does not provide telecommunications services and is wholly owned by James Bellina, a U.S. citizen. Mr. Bellina owns 22.88% of Dialog Telecom LLC (Dialog), a North Carolina holding company, that wholly owns three competitive LECs.² He also serves as an outside director of American Broadband Holding Company (ABHC), a Delaware corporation, that provides, through its operating

¹ See 47 U.S.C. § 214; 47 CFR §§ 63.03-04. On November 21, 2019, Applicants filed a supplement to their domestic section 214 application.

² Dialog wholly owns: (a) Dialog Telecommunications, Inc., serving Western Kentucky in the communities of Paducah, Mayfield, Murray, Madisonville, Benton, and Central City; (b) Acorn Telephone, LLC, serving approximately 775 access lines mostly in rural Appalachian region of Eastern Kentucky; and (c) AMA Communications, LLC, serving 83 rural communities in Texas.

subsidiaries and affiliates, incumbent LEC, competitive LEC, and other telecommunications services in multiple states.³

Pursuant to the terms of the proposed transaction, RBC will purchase all of the issued and outstanding stock of Velocity. Applicants assert that the proposed transaction is entitled to streamlined treatment under the Commission's rules and that a grant of the application would serve the public interest, convenience, and necessity. We accept this application for filing under section 63.03(b)(2)(i) of the Commission's rules.⁴

Domestic Section 214 Application Filed for the Transfer of Control of
Velocity Networks of Kentucky, Inc. to Rural Broadband Consulting, Inc.,
WC Docket No. 19-344 (filed Nov. 12, 2019).

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 December 9, 2019**, and reply comments **on or before December 16, 2019**. 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) Gregory Kwan, Competition Policy Division, Wireline Competition Bureau, gregory.kwan@fcc.gov; and
- 3) 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).

³ Applicants state that Mr. Bellina is one of five directors of American Broadband Holding Company and that he holds no equity in that entity.

⁴ 47 CFR § 63.03(b)(2)(i).

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 Myrva Charles at (202) 418-1506 or Gregory Kwan at (202) 418-1191.

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