



PUBLIC NOTICE

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

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DA 19-208
March 22, 2019

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL
OF CAMPTI-PLEASANT HILL TELEPHONE CO., INC. AND
CP-TEL NETWORK SERVICES, INC. TO EPIC TOUCH CO., INC.**

NON-STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 19-51

Comments Due: April 5, 2019
Reply Comments Due: April 12, 2019

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on an application filed by CP-TEL Holdings, Inc. (CP-TEL), Campti-Pleasant Hill Telephone Co., Inc. (Campti), CP-TEL Network Services, Inc. (CPTN), and Epic Touch Co., Inc. (Epic Touch) (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 CP-TEL and its wholly owned subsidiaries, Campti and CPTN, to Epic Touch.¹

CP-TEL is a holding company that does not provide telecommunications services. Campti is a rural incumbent local exchange carrier (LEC) providing services in portions of Natchitoches, Sabine, and Desoto Parishes in Louisiana. CPTN provides competitive telecommunications services in Northwest Louisiana. CP-TEL, Campti, and CPTN are Louisiana corporations.

Epic Touch, a Kansas corporation, provides telephone and broadband services in portions of Kansas and Oklahoma through its affiliates. Epic Touch owns 93.28 percent of Elkhart Telephone Co., Inc., a rural incumbent LEC that provides service in Elkhart, Kansas and Texas County, Oklahoma. The following Kansas trusts hold a 10 percent or greater interest in Epic Touch: Bob Boaldin Irrevocable Epic Trust (49.55 percent) and Dian Boaldin Irrevocable Epic Trust (49.55 percent).²

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. Applicants filed a supplement to their domestic section 214 application on March 19, 2019. Any action on the domestic section 214 application is without prejudice to Commission action on other related, pending applications.

² The beneficiaries, in equal shares, for both trusts are Trent Boaldin and Roxanna Boaldin Grimes, both U.S. citizens. Applicants state that neither Epic Touch nor any of its subsidiaries, the Bob Boaldin Irrevocable Epic Trust, the Dian Boaldin Irrevocable Epic Trust, Trent Boaldin, or Roxanna Boaldin Grimes hold a greater than

Pursuant to the terms of the proposed transaction, Epic Touch will purchase all of the issued and outstanding stock of CP-TEL. Following the consummation of the transaction, Epic Touch will therefore control CP-TEL's wholly owned subsidiaries, Campti and CPTN. Applicants assert that a grant of the application will serve the public interest, convenience, and necessity. Because the proposed transaction is more complex than usual and in order to analyze whether it would serve the public interest, the application will not be streamlined.³

Domestic Section 214 Application Filed for the Transfer of Control of
Campti-Pleasant Hill Telephone Co., Inc. and CP-TEL Network Services, Inc. to
Epic Touch Co., Inc., WC Docket No. 19-51 (filed Mar. 6, 2019).

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 April 5, 2019**, and reply comments or oppositions to petitions **on or before April 12, 2019**. 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.
 - 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.

10 percent interest in any other domestic telecommunications provider.

³ 47 CFR § 63.03(c)(1)(v).

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, 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;
- 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.

To allow the Commission to consider fully all substantive issues regarding the application 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.⁴ 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 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.

⁴ See 47 CFR § 1.45(c).

For further information, please contact Myrva Charles at (202) 418-1506 or Gregory Kwan at (202) 418-1191.

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