



PUBLIC NOTICE

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

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DA 19-487
May 29, 2019

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL
OF THE CHESTER TELEPHONE COMPANY D/B/A TRU-VISTA COMMUNICATIONS
TO YORK TELECOMS HOLDINGS US L.P.**

NON-STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 19-139

Comments Due: June 12, 2019
Reply Comments Due: June 19, 2019

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on an application filed by the Chester Telephone Company d/b/a Tru-Vista Communications (TruVista) and York Telecoms Holdings US L.P. (York) (together, 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 TruVista and its wholly owned subsidiaries, Lockhart Telephone Company, Ridgeway Telephone Company, Fairfield Communications, Inc., Camden Corporate Investments, LLC, TruVista Communications of Georgia, LLC, Chester Long Distance Services, Inc., and Chester Communications, LLC (collectively, the TruVista Subsidiaries), to York.¹

TruVista, together with the TruVista Subsidiaries, provides incumbent and competitive local exchange carrier services in addition to video services in rural markets in South Carolina and Georgia. York, a Delaware holding company, has been formed to acquire TruVista and aggregate the ownership interest of iCON Infrastructure Partners IV, L.P. (iCON IV Fund) and its affiliates, which are investment funds formed in England and Wales. York is indirectly owned by iCON Infrastructure Partners IV (US AIV), L.P., an English and Welsh entity, which, in turn, is an indirect subsidiary of iCON Infrastructure LLP (iCON Parent), a United Kingdom entity.² Applicants state

¹ See 47 U.S.C. § 214; 47 CFR §§ 63.03-04. Applicants also filed applications for the transfer of authorizations associated with international and wireless services. On May 24, 2019, Applicants filed a supplement to their domestic section 214 application. Any action on the domestic section 214 application is without prejudice to Commission action on other related, pending applications.

² Applicants state that iCON AIV is 77 percent owned by iCON Infrastructure IV (US AIV-A), L.P., a Guernsey entity. The remaining 23 percent is held by passive limited partner investors, none of which hold a 10 percent or greater interest in iCON IV Fund. Applicants further state that the following citizens of the United Kingdom hold a 10 percent or greater interest in iCON Parent: Daniel Micheal Agostino (11.12

that all investment decision-making of the iCON IV Fund is controlled by its managing general partner, iCON Infrastructure Management IV Limited (iCON IV GP), a Guernsey entity and wholly owned subsidiary of iCON Parent. Applicants state that neither York nor its affiliates hold a 10 percent or greater interest in any other domestic telecommunications provider.

Pursuant to the terms of the proposed transaction, York will acquire all of the outstanding interests in TruVista. As a result, TruVista will become a wholly owned subsidiary of York while the TruVista Subsidiaries will become indirect subsidiaries of York. Applicants assert that a grant of the application will serve the public interest, convenience, and necessity. Applicants do not request streamlined treatment for the domestic section 214 application pursuant to section 63.03 of the Commission's rules.³

Domestic Section 214 Application Filed for the Transfer of Control of
The Chester Telephone Company d/b/a Tru-Vista Communications to
York Telecoms Holdings US L.P., WC Docket No. 19-139 (filed May 10, 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 June 12, 2019**, and reply comments or oppositions to petitions **on or before June 19, 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.

percent equity interest; 7.41% voting interest); Paul Richard Malan (39.95 percent equity interest; 59.96 percent voting interest); and Iain Ross Macleod (20.01 percent equity interest; 13.34 percent voting interest). Mr. Malan is a citizen of both the United Kingdom and Australia.

³ 47 CFR § 63.03.

- 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, 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

⁴ See 47 CFR § 1.45(c).

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 Gregory Kwan at (202) 418-1191.

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