



# PUBLIC NOTICE

**Federal Communications Commission**  
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Washington, D.C. 20554

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**DA 19-574**  
**June 18, 2019**

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL  
OF INTERCARRIER NETWORKS, LLC  
TO GREAT PLAINS COMMUNICATIONS LLC**

**STREAMLINED PLEADING CYCLE ESTABLISHED**

**WC Docket No. 19-141**

**Comments Due: July 2, 2019**  
**Reply Comments Due: July 9, 2019**

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on an application filed by InterCarrier Networks, LLC (ICN) and Great Plains Communications LLC (GP Communications) (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 ICN to GP Communications.<sup>1</sup>

ICN, a Michigan limited liability company, is authorized to provide competitive local exchange services in Illinois, Indiana, and Kentucky.<sup>2</sup> GP Communications and its wholly owned subsidiaries, Great Plains Broadband LLC (GP Broadband) and Great Plains Communications Long Distance LLC (GP Long Distance), are Delaware limited liability companies. GP Communications is an incumbent local exchange carrier (LEC) in Nebraska and in certain areas in Colorado, Kansas, and South Dakota. GP Broadband provides facilities-based competitive LEC services in Nebraska. GP Long Distance provides resold long distance services in Nebraska. GP Communications is wholly owned by Great Plains Communications Holdings LLC (GPC Holdings), which is 88.5

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<sup>1</sup> See 47 U.S.C. § 214; 47 CFR §§ 63.03-04. On June 17, 2019, Applicants filed a supplement to their domestic section 214 application.

<sup>2</sup> ICN currently provides intra- and interexchange private line and advanced services primarily to wholesale customers in Illinois and Indiana. ICN does not provide local switched services in any state and does not yet provide any services in Kentucky. The following U.S. citizens own ICN: Kelly D. Robinson, as Trustee of the Revocable Living Trust of Kelly D. Robinson u/a/d May 1, 2007 (45.44 percent); Dudley Smith, IV, as Trustee of the Revocable Living Trust of Dudley Smith, IV u/a/d April 19, 2005 (32.17 percent); Ann E. Robinson (12.06 percent); Matthew Porterfield and Robyn Porterfield, as Co-Trustees of the Porterfield Living Trust u/a/d September 20, 2010 (10.33 percent).

percent owned by Grain Communications Opportunity Fund II, L.P. (GCO Fund II), a Delaware limited partnership.<sup>3</sup>

Applicants state that, following the consummation of the proposed transaction, the following U.S. entities will hold a 10 percent or greater limited partnership interest in GCO Fund II, and therefore, ICN: Board of Regents of the University of Texas System (11.1 percent) and the New York State Common Retirement Fund (16.7 percent).<sup>4</sup> The general partner of GCO Fund II is Grain GP IV, LLC, a Delaware limited partnership, which is ultimately controlled by David J. Grain, a U.S. citizen. Applicants state that no other individual or entity will hold a 10 percent or greater interest in GCO Fund II or ICN.

Pursuant to the terms of the proposed transaction, ICN will become a wholly owned subsidiary of GP Communications. Applicants assert the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(ii) of the Commission's rules and that a grant of the application will serve the public interest, convenience, and necessity.<sup>5</sup>

Domestic Section 214 Application Filed for the Transfer of Control of InterCarrier Networks, LLC to Great Plains Communications LLC, WC Docket No. 19-141 (filed May 17, 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 July 2, 2019**, and reply comments **on or before July 9, 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) Tracey Wilson, Competition Policy Division, Wireline Competition Bureau, [tracey.wilson@fcc.gov](mailto:tracey.wilson@fcc.gov);

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<sup>3</sup> GCO Fund II is managed and affiliated with Grain Management LLC, which holds a controlling interest in WANRack, LLC (WANRack), a competitive telecommunications provider that builds private fiber networks for K-12 school districts. The service areas of GP Communications, GP Broadband, GP Long Distance, and WANRack do not overlap with the service areas of ICN.

<sup>4</sup> Applicants state that no entities hold a 10 percent or greater interest in the Board of Regents of the University of Texas System or the New York State Common Retirement Fund.

<sup>5</sup> 47 CFR § 63.03(b)(2)(ii).

- 2) Gregory Kwan, Competition Policy Division, Wireline Competition Bureau, [gregory.kwan@fcc.gov](mailto:gregory.kwan@fcc.gov); and
- 3) Jim Bird, Office of General Counsel, [jim.bird@fcc.gov](mailto: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](mailto: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 *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 Tracey Wilson at (202) 418-1394 or Gregory Kwan at (202) 418-1191.

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