



PUBLIC NOTICE

Federal Communications Commission
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DA 19-921

Released: September 17, 2019

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF
BRETTON WOODS TELEPHONE COMPANY, INC. AND
WORLD SURFER, INC. TO CIBL, INC.**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 19-243

Comment Date: October 1, 2019

Reply Comment Date: October 8, 2019

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on an application filed by Lynch Telephone Corporation IV, LLC (Lynch IV) and CIBL, Inc. (CIBL) (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 Lynch IV's wholly owned subsidiaries, Bretton Woods Telephone Company, Inc. (Bretton Woods) and World Surfer, Inc. (World Surfer), to CIBL.¹

Lynch IV, a Delaware limited liability company, is wholly owned by LICT Corporation (LICT), a Delaware corporation that provides telecommunications services through its operating subsidiaries. Bretton Woods, a New Hampshire corporation, provides incumbent local exchange carrier (LEC) services to approximately 550 lines in the town of Carroll, New Hampshire and competitive LEC services to approximately 170 lines in other parts of New Hampshire that are within the incumbent LEC territory of Consolidated Communications. World Surfer, a Delaware corporation, provides interexchange and other services exclusively in the territories of Bretton Woods.²

CIBL, a Delaware corporation and holding company, does not provide telecommunications services. CIBL wholly owns Granite Acquisition Corporation, Inc. (Merger Sub), a Delaware corporation, formed for purposes of this proposed transaction. Applicants state that the following U.S. entity and U.S. citizen hold a 10% or greater equity interest in CIBL: E3M 2016 LLC (E3M) (38.5% direct interest in CIBL) and Regina Pitaro (38.5% indirect interest as the managing member of E3M).³

¹ See 47 U.S.C. § 214; 47 CFR §§ 63.03-04. Applicants are also filing an application for the transfer of control of international services. On September 16, 2019 and September 17, 2019, Applicants filed supplements to their domestic section 214 application. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications.

² Applicants state that, in anticipation of this transaction, Lynch IV will contribute all ownership interests in Bretton Woods and World Surfer to a special purpose subsidiary, NH Granite Communications, Inc. (NewCo), a Delaware corporation, that will be directly and wholly owned by Lynch IV.

³ Applicants state that CIBL spun off from LICT on November 19, 2007 and became a separate publicly traded company in December 2008. The board members of CIBL are Mario Gabelli, Philip Lombardo, and Salvatore

(continued...)

Applicants state that neither E3M nor Ms. Pitaro hold a 10% or greater interest in any provider of domestic telecommunications services.

Pursuant to the terms of the proposed transaction, Merger Sub will merge with and into NewCo, with NewCo as the surviving entity. Applicants state that as a result of the proposed transaction, CIBL will indirectly wholly own Bretton Woods and World Surfer. Applicants assert that the proposed transaction is entitled to streamlined treatment under section 63.03(b)(1)(ii) of the Commission's rules and that a grant of the application would serve the public interest, convenience, and necessity.⁴

Domestic Section 214 Application Filed for the Transfer of Control of
Bretton Woods Telephone Company, Inc. and World Surfer, Inc. to CIBL, Inc.,
WC Docket No. 19-243 (filed Aug. 27, 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 October 1, 2019**, and reply comments **on or before October 8, 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;
- 2) Gregory Kwan, Competition Policy Division, Wireline Competition Bureau, gregory.kwan@fcc.gov;
- 3) Sumita Mukhoty, Policy Division, International Bureau, sumita.mukhoty@fcc.gov;
- 4) David Krech, Policy Division, International Bureau, david.krech@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

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Muoio, each of whom are U.S. citizens and also serve as the directors of LICT. Applicants further state that LICT does not have any ownership interests in any incumbent LEC or competitive LEC that overlap or are adjacent to the territories of Bretton Woods or World Surfer.

⁴ 47 CFR § 63.03(b)(1)(ii).

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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