



PUBLIC NOTICE

Federal Communications Commission
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Internet: <http://www.fcc.gov>
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DA 19-974
September 27, 2019

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL
OF HUNTER COMMUNICATIONS, INC.
TO HUNTER COMMUNICATIONS HOLDINGS LLC
STREAMLINED PLEADING CYCLE ESTABLISHED**

WC Docket No. 19-252

Comments Due: October 11, 2019
Reply Comments Due: October 18, 2019

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on an application filed by Richard W. Ryan and Hunter Communications Holdings LLC (Hunter Holdings) (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 Hunter Communications, Inc. (Hunter Communications) from Mr. Ryan to Hunter Holdings.¹

Hunter Communications, an Oregon corporation, builds, operates, and leases fiber networks and provides telecommunications services as a competitive local exchange carrier (LEC) in Oregon and California. Mr. Ryan, a U.S. citizen, is the current owner of all of the capital stock of Hunter Communications.

Hunter Holdings, a Delaware limited liability company, does not provide telecommunications services, but is affiliated with Great Plains Communications LLC, an incumbent LEC that serves areas in Nebraska, Colorado, Kansas, and South Dakota. Hunter Holdings is also affiliated with two competitive LECs: Great Plains Broadband, LLC, serving areas of Nebraska, and InterCarrier Networks, LLC, serving areas in Illinois and Indiana. The following entities hold a 10% or greater interest in Hunter Holdings: Grain Communications Opportunity Fund II, L.P. (GCO Fund II) (75 percent),² a Delaware investment fund, and RWR Hunter Holdco

¹ See 47 U.S.C. § 214; 47 CFR §§ 63.03-04. Applicants are also filing applications for the transfer of control of international services. Any action on this domestic section 214 application is also without prejudice to Commission action on other related, pending applications. Applicants filed a supplement to their domestic section 214 application on September 25, 2019.

² The following U.S. entities will hold a 10% or greater limited partnership interest in GCO Fund II, and therefore, Hunter Holdings: Board of Regents of the University of Texas System (11.1%) and the New York

Inc. (RWR Hunter) (25 percent), a Delaware holding company. Hunter Holdings is managed by Grain Management, LLC, a U.S.-based investment entity that manages, and is affiliated with, GCO Fund II.³ GCO Fund II is controlled by its general partner, Grain GP IV, LLC, a Delaware limited partnership, which is ultimately controlled by David J. Grain, a U.S. citizen and owner of Grain Management. At closing, Mr. Ryan, a U.S. citizen, will own of all the capital stock of RWR Hunter.

Pursuant to the terms of a Membership Interest Purchase Agreement, Hunter Holdings will acquire control of Hunter Communications. After consummation of the proposed transaction, Hunter Communications would continue to exist and operate under the same name and provide service under the same rate, terms, and conditions. Applicants assert that the proposed transaction is entitled to streamlined treatment under section 63.03(b)(2)(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
Hunter Communications, Inc. To Hunter Communications Holdings LLC
WC Docket No. 19-252 (filed Sept. 5, 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 11, 2019**, and reply comments **on or before October 18, 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;

State Common Retirement Fund (16.7%). Applicants state that no entities hold a 10% or greater interest in the Board of Regents of the University of Texas System or the New York State Common Retirement Fund.

³ Grain Management manages, and is affiliated with, Grain Communications Opportunity Fund, L.P., which owns a controlling interest in WANRack, LLC, which builds private networks for K-12 schools throughout the country. Grain Management is affiliated with, and ultimately manages, the buyer in two pending domestic section 214 applications. See *Domestic Section 214 Application Filed for the Transfer of Control of E. Ritter Communications Holdings Inc. and its Subsidiaries to Ritter Communications Ultimate Holdings LLC*, WC Docket No. 19-239, Public Notice, DA 19-895 (WCB 2019); *Domestic Section 214 Application Filed for the Transfer of Control of Summit Vista Inc. and Orlando Telephone Company, Inc. d/b/a Summit Broadband*, WC Docket No. 19-245, Public Notice, DA 19-924 (WCB 2019).

⁴ 47 CFR § 63.03(b)(2)(ii).

- 2) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, dennis.johnson@fcc.gov;
- 3) Sumita Mukhoty, Policy Division, International Bureau, smita.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.

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).

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 Dennis Johnson at (202) 418-0809.

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