



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

News Media Information 202 / 418-0500
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DA 20-1366
November 17, 2020

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL
OF GOLDFIELD TELEPHONE COMPANY, LLC
AND GOLDFIELD ACCESS NETWORK, L.C.
TO COMMUNICATIONS 1 NETWORK, INC.**

NON-STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 20-373

Comments Due: December 1, 2020
Reply Comments Due: December 8, 2020

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on an application filed by Webster-Calhoun Cooperative Telephone Association (Webster-Calhoun), Schaller Telephone Company (Schaller), and Communications 1 Network, Inc. (Communications 1) (collectively, Applicants), pursuant to section 214 of the Communications Act of 1934, as amended, and sections 63.03-04 of the Commission's rules,¹ requesting consent to transfer control of Goldfield Telephone Company, LLC f/k/a Goldfield Telephone Co., Inc. (GTC) and Goldfield Access Network, L.C. (GAN) from Webster-Calhoun and Schaller to Communications 1.

GTC, an Iowa limited liability company, provides service as an incumbent local exchange carrier (LEC) to less than 500 access lines in the Goldfield exchange in Wright County in north central Iowa. GAN, also an Iowa limited liability company, provides service as a competitive LEC in the Clarion, Eagle Grove, Humboldt, and Renwick exchanges in Wright and Humboldt Counties in north central Iowa. GTC and GAN are wholly owned by Goldfield Holdings, LLC (formerly BYC Investments, LLC) (Goldfield Holdings). Currently, Webster-Calhoun, Schaller, and Communications 1, each an Iowa based entity, equally own 1/3 member shares in Goldfield Holdings.

Communications 1 provides service as an incumbent LEC to less than 1,200 access lines in the Corwith, Kanawha, and Klemme exchanges in Hancock County in north central Iowa. Communications 1 owns a 100% interest in Comm 1 Connects, Inc., an Iowa corporation that provides competitive LEC services in Britt, Garner, Belmond, and Duncan, Iowa. Communications

¹ See 47 U.S.C. § 214; 47 CFR §§ 63.03-04. Applicants also filed an application for the transfer of authorizations associated with international authorizations. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications.

1 also owns a 10% interest in Southern Minnesota Broadband LLC, a Minnesota limited liability company that plans to provide ethernet services to residents in Southern Minnesota. Communications 1's Kanawha exchange is adjacent to GTC's Goldfield exchange and Communications 1's Kanawha and Corwith exchanges are each adjacent to GAN's Renwick exchange. Applicants state that Communications 1 has no ownership interests in any other entity that offers domestic telecommunications services.

Communications 1 is held by the following Iowa trusts: William R. Johnson 2012 Exempt Trust, Mary L. Johnson 2009 Marital Trust, Mary L. Johnson 2013 Exempt Trust, and William R. Johnson 2009 Revocable Trust. The beneficiaries of those trusts are all U.S. citizens.²

Pursuant to the terms of the proposed transaction, Webster-Calhoun and Schaller have each agreed to sell their 1/3 member shares in Goldfield Holdings to Communications 1, thereby giving Communications 1 ownership and control of 100% of the member shares of Goldfield Holdings. As a result, Communications 1 will obtain 100% ownership and control of GTC and GAN.

Applicants assert that a grant of the application would serve the public interest, convenience, and necessity. Because the transaction is more complex than usual, in order to analyze whether the proposed transaction would serve the public interest, this application will not be streamlined.³

Domestic Section 214 Application Filed for the Transfer of Control of Goldfield Telephone Company, LLC and Goldfield Access Network, L.C. to Communications 1 Network, Inc., WC Docket No. 20-373 (filed Nov. 4, 2020).

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 December 1, 2020** and reply comments or oppositions to petitions **on or before December 8, 2020**. 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. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.
 - Filings can be sent by commercial overnight courier or by first-class or overnight U.S. Postal Service mail.⁴ All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

² The beneficiaries of the trusts are William R. Johnson and Mary L. Johnson's three children: Susan Weigenant, Melanie Steinkamp, and Sally Manzano.

³ 47 CFR § 63.03(c)(1)(v).

- 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.

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) Tracey Wilson, Competition Policy Division, Wireline Competition Bureau, tracey.wilson@fcc.gov;
- 2) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, dennis.johnson@fcc.gov; and
- 3) 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.⁵ 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 In response to the COVID-19 pandemic, the FCC has closed its current hand-delivery filing location at FCC Headquarters. We encourage outside parties to take full advantage of the Commission’s electronic filing system. Any party that is unable to meet the filing deadline due to the building closure may request a waiver of the comment or reply comment deadline, to the extent permitted by law. *FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Filing*, Public Notice, DA 20-304 (rel. Mar. 19, 2020). <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>.

⁵ 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 Dennis Johnson at (202) 418-0809.

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