



PUBLIC NOTICE

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

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DA 20-159
February 13, 2020

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL
OF LONSDALE TELEPHONE CO., INC. TO
RURAL COMMUNICATIONS HOLDING CORPORATION**

NON-STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 20-24

Comments Due: February 27, 2020
Reply Comments Due: March 5, 2020

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on an application filed by the Bonita L. Simon Revocable Trust U/A/D March 4, 2011 and the Simon Family Trust U/A/D March 4, 2011 (together, the Transferor Trusts) and Rural Communications Holding Corporation (RCHC) (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 Lonsdale Telephone Co., Inc. (LTCI) from the Transferor Trusts to RCHC.¹

LTCI, a Minnesota corporation, provides service as an incumbent local exchange carrier (LEC) to 1,748 access lines in a single exchange serving the area in and around the City of Lonsdale in Rice County in rural southeastern Minnesota. LTCI wholly owns Lonsdale Video Ventures, LLC, a Minnesota limited liability company, that provides other services in and around LTCI's Lonsdale, Minnesota exchange.

RCHC, a Minnesota corporation, is a holding company that directly or indirectly controls the following eight incumbent LECs that provide local and resold interstate toll services in 23 rural local exchanges in southern Minnesota and nearby portions of Wisconsin and Iowa: (1) Blue Earth Valley Telephone Company; (2) Easton Telephone Company; (3) Eckles Telephone Company (Eckles Telephone); (4) Cannon Valley Telecom, Inc.; (5) Pine Island Telephone Company (Pine Island); (6) Indianhead Telephone Company (Indianhead Telephone); (7) Hager Telecom, Inc.

¹ See 47 U.S.C. § 214; 47 CFR §§ 63.03-04. Application of Bonita L. Simon Revocable Trust U/A/D March 4, 2011, Simon Family Trust U/A/D March 4, 2011, and Rural Communications Holding Corporation for the Transfer of Control of Lonsdale Telephone Co. Inc., WC Docket No. 20-24 (filed Jan. 29, 2020) (Application). On February 5, 2020 and February 7, 2020 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.

(Hager Telecom); and (8) Granada Telephone Company (Granada Telephone).² Applicants note that LTCI's Lonsdale exchange is adjacent to the New Prague, Minnesota exchange of RCHC's wholly owned subsidiary, Eckles Telephone. RCHC is wholly owned by Blue Earth Valley Communications, Inc. (Blue Earth Valley), a Minnesota corporation and holding company.³ The following U.S. citizen and Minnesota trusts hold a 10% or greater interest in Blue Earth Valley: William V. Eckles (13.32%); Eckles Dynasty Trust #1 (Eckles Trust #1) (24.83%); Eckles Dynasty Trust #2 (Eckles Trust #2) (24.78%); and Buccaneer Investments, LLC (Buccaneer Investments) (24.07%).⁴

Pursuant to the terms of the proposed transaction, RCHC will purchase all of the outstanding stock of LTCI from the Transferors Trusts, therefore giving RCHC control of LTCI's network facilities, operations, and domestic telecommunications services. Applicants assert that Commission approval of this proposed transfer of control would 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.⁵

Domestic Section 214 Application Filed for the Transfer of Control of
Lonsdale Telephone Co., Inc. to Rural Communications Holding Corporation,
WC Docket No. 20-24 (filed Jan. 29, 2020).

GENERAL INFORMATION

² With the exception of Hager Telecom and Granada Telephone, which are both Wisconsin corporations, each of the other six incumbent LECs are Minnesota corporations. RCHC also wholly owns the following two Minnesota corporations: (1) BEVCOMM, Inc., providing competitive telecommunications and/or cable services in portions of Minnesota; and (2) Cannon Valley Cablevision, Inc., providing cable television services in portions of Minnesota. RCHC also holds a 10% or greater interest in the following five Minnesota entities: (1) Tri-Co Technologies, LLC (Tri-Co) (33.33%), serving as an incumbent LEC in the Crosslake exchange in Crow Wing County in rural central Minnesota; (2) West Central Transport Group (10%), providing high-capacity special access circuits in Minnesota, North Dakota, and South Dakota; (3) Tri-Central Transport Group (66%), providing telecommunications transport facilities and services in Minnesota and other portions of the upper Midwest; (4) Broadband Visions, LLC (24.3%), providing digital television services to video program distributors in Hutchinson, Minnesota; and (5) Southern Minnesota Broadband, LLC (12.5%), providing telecommunications facilities and services in Minnesota and other portions of the Upper Midwest.

³ BCS Holdings, LLC (BCS), a Minnesota limited liability company and wholly owned direct subsidiary of RCHC, directly wholly owns Granada Telephone, Pine Island, Indianhead Telephone, and Hager Telecom. Application at 8. Applicants provide further details of the pre- and post-consummation ownership structure, including affiliated entities of RCHC, in their application. Application at 4-10 and 14-15.

⁴ Applicants state that the trustee and beneficiary of the Eckles Trust #1 and Eckles Trust #2 is William V. Eckles. Application at 6. The members of Buccaneer Investments are: Blue Earth Valley (26.91%); Eckles Trust #1 (34.34%); and Eckles Trust #2 (38.75%). Applicants state that, other than what is described in the application, neither RCHC, nor any of its affiliates, nor Mr. Eckles, the Eckles Trust #1, the Eckles Trust #2, nor Buccaneer Investments, hold an interest above 10% in any other provider of domestic telecommunications services. *Id.* at 10.

⁵ 47 CFR § 63.03.

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 **on or before February 27, 2020**, and reply comments **on or before March 5, 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. 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.
 - 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) 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; 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.⁶ 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 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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⁶ See 47 CFR § 1.45(c).