



# PUBLIC NOTICE

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DA 20-628  
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## DOMESTIC SECTION 214 APPLICATION GRANTED FOR THE TRANSFER OF CONTROL OF PRIMELINK, INC. TO FIRSTLIGHT FIBER, INC.

### WC Docket No. 20-78

By this Public Notice, the Wireline Competition Bureau (Bureau) grants an application filed by FirstLight Fiber, Inc. (FirstLight), K & S Communications, Inc. (K & S Communications), and PrimeLink, Inc. (PrimeLink) (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 PrimeLink from K & S Communications to FirstLight.<sup>1</sup>

On March 27, 2020, the Bureau released a Public Notice requesting comment on the Application.<sup>2</sup> On April 10, 2020, the U.S. Department of Justice, with the concurrence of the U.S. Department of Homeland Security and the U.S. Department of Defense (collectively, the Agencies) filed a letter requesting that the Commission defer action on this proceeding while they completed their review of any national security, law enforcement, and public safety concerns.<sup>3</sup> We deferred action in response to the Agencies' request. On June 11, 2020, the Agencies notified the Bureau that they withdraw their request to defer action.<sup>4</sup> They state that, based on the information provided to them by the applicants and their analysis of potential national security, law enforcement, and public safety issues, they have no objection to the Application.

No party filed comments in opposition to a grant of the Application, and the Bureau finds, upon consideration of the record, that granting the Application will serve the public interest, convenience, and

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<sup>1</sup> See 47 U.S.C. § 214; 47 CFR §§ 63.03-04. Joint Application of FirstLight Fiber, Inc., K&S Communications, Inc., and PrimeLink, Inc. for Consent to Transfer Control of Domestic and International Section 214 Authorities, WC Docket No. 20-78 (filed Mar. 10, 2020) (Application). Applicants filed supplements to their Application on March 20, 2020 and March 23, 2020.

<sup>2</sup> *Domestic Section 214 Application Filed for the Transfer of Control of PrimeLink, Inc. to FirstLight Fiber, Inc.*, WC Docket No. 20-78, Public Notice, DA 20-350 (WCB 2020).

<sup>3</sup> Letter from Christopher R. Clements, U.S. Department of Justice, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 20-78 (filed Apr. 10, 2020).

<sup>4</sup> Letter from Christopher R. Clements, U.S. Department of Justice, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 20-78 (filed June 11, 2020).

necessity.<sup>5</sup> Pursuant to section 1.103 of the Commission's rules, 47 C.F.R. § 1.103, the grant is effective upon release of this Public Notice. Petitions for reconsideration under section 1.106 or applications for review under section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of this Public Notice.

For further information, please contact Dennis Johnson, Wireline Competition Bureau, Competition Policy Division, (202) 418-0809.

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<sup>5</sup> See, e.g., *Applications of Level 3 Communications, Inc. and CenturyLink, Inc. for Consent to Transfer Control of Licenses and Authorizations*, Memorandum Opinion and Order, 32 FCC Red 9581, 9594, 9605, paras. 26 and 52 (2017) (finding no harm to competition outside of CenturyLink's incumbent local exchange carrier (LEC) territory, where applicants operate as competitive LECs, and further finding that the transaction "will expand the on-net reach of the newly combined firm resulting in a more effective and stronger competitor against larger cable and incumbent LEC competitors, among others, particularly outside of Century Link's incumbent LEC region, where it, like Level 3, operates as a competitive LEC.").