



PUBLIC NOTICE

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

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 20-711
July 6, 2020

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL
OF MILES ENTERPRISES, INC. AND ITS SUBSIDIARIES
TO GREAT PLAINS COMMUNICATIONS LLC**

NON-STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 20-193

Comments Due: July 20, 2020
Reply Comments Due: July 27, 2020

By this Public Notice, the Wireline Competition Bureau (Bureau) seeks comment from interested parties on an application filed by Chad Miles and Great Plains Communications LLC (GP Communications) (collectively, Applicants), pursuant to section 214 of the Communications Act of 1934, as amended, and sections 63.03-63.04 of the Commission's rules, requesting consent to transfer control of Miles Enterprises, Inc. (Miles Enterprises) and its regulated subsidiaries, Miles Communications, Inc. (Miles Communications), Sunman Telecommunications Corporation (Sunman Telecommunications), and Sunman Telecommunications Corporation Long Distance (Sunman Telecommunications LD) (collectively, Miles Communications, Sunman Telecommunications, and Sunman Telecommunications LD, Licensees) from Chad Miles to GP Communications.¹

Sunman Telecommunications serves as an incumbent local exchange carrier (LEC) in southeast Indiana. Miles Communications provides facilities-based competitive LEC services in southeast Indiana. Sunman Telecommunications LD provides competitive resold long-distance services in Indiana. Together, Sunman Telecommunications and Miles Communications serve 10 counties in southeastern Indiana with their nearly 700-mile fiber network. Miles Enterprises and the Licensees are all Indiana corporations.

GP Communications and its wholly owned subsidiaries, Great Plains Broadband LLC (GP Broadband) and Great Plains Communications Long Distance LLC (GP Long Distance), all Delaware limited liability companies, together provide residential, business, and enterprise telecommunications, cable television, and other services. GP Communications serves as an incumbent LEC in Nebraska and in a few areas of Colorado, Kansas, and South Dakota. GP Broadband provides facilities-based competitive local exchange services in Nebraska. GP Long Distance provides competitive resold long distance services in Nebraska. GP Communications'

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

subsidiary, InterCarrier Networks, LLC (ICN), a Michigan limited liability company, provides competitive LEC and other services in Illinois and Indiana.²

GP Communications is wholly owned by Great Plains Communications Holdings LLC (GPC Holdings), which is 89.5% owned by Grain Communications Opportunity Fund II, L.P. (GCO Fund II), a Delaware limited partnership. Applicants state that, following the consummation of the proposed transaction, the following U.S. entities will hold a 10% or greater limited partnership interest in GCO Fund II: Board of Regents of the University of Texas System (11.1%) and the New York State Common Retirement Fund (16.7%).³ The general partner of GCO Fund II is Grain GP IV, LLC, a Delaware limited partnership, which is ultimately controlled by David J. Grain, a U.S. citizen. Applicants state that no other individual or entity will hold a 10 percent or greater interest in GCO Fund II or Licensees.

Pursuant to the terms of a Membership Interest Purchase Agreement, GP Communications will acquire control of Miles Enterprises and the Licensees.⁴ Applicants state that a grant of the proposed transaction would serve the public interest, convenience, and necessity. Applicants further state that there is no physical overlap between the service areas of GP Communications and ICN with the service area of the Licensees. 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
Miles Enterprises, Inc. to Great Plains Communications LLC, WC Docket No. 20-
193 (filed June 24, 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 before July 20, 2020** and reply comments or oppositions to petitions **on or before July 27, 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/>.

² In addition, ICN has received authority to operate in the state of Kentucky but currently only provides dark fiber to a small number of wireless sites.

³ 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.

⁴ Applicants state that prior to closing, Chad Miles will contribute all of his outstanding equity interests to Miles Capital, Inc., a newly formed entity created for the purposes of the proposed transaction that he will wholly own.

⁵ 47 CFR § 63.03.

- 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.⁶
 - 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) Myrva Charles, Competition Policy Division, Wireline Competition Bureau, myrva.charles@fcc.gov;
- 2) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, dennis.johnson@fcc.gov;
- 3) David Krech, Policy Division, International Bureau, david.krech@fcc.gov; and
- 4) 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

⁶ In response to the COVID-19 pandemic, the Commission 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>.

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.⁷ 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 Myrva Charles at (202) 418-1506 or Dennis Johnson at (202) 418-0809.

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⁷ See 47 CFR § 1.45(c).