



PUBLIC NOTICE

Federal Communications Commission
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DA 20-801
July 29, 2020

DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF AERO NORTH COMMUNICATIONS, INC. TO SYNDEO NETWORKS, INC.

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 20-184

Comments Due: August 12, 2020
Reply Comments Due: August 19, 2020

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on an application filed by Syndeo Networks, Inc. (Syndeo) and Aero North Communications, Inc. (Aero North) (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 Aero North to Syndeo.¹

Aero North, an Illinois corporation, provides competitive telecommunications services to business customers, primarily in Stephenson County, Illinois. Aero Group, Inc wholly owns Aero North, and Furst-McNess Company, a U.S. entity, wholly owns Aero Group, Inc.

Syndeo, an Illinois corporation, provides competitive telecommunications services in Illinois.² Syndeo is wholly owned by Amit Patel, a U.S. citizen.

Pursuant to a Share Purchase Agreement between Syndeo, Aero Group, Inc. and Furst-McNess Company, Syndeo will acquire 100% of Aero Group, Inc., including Aero North. After the close of the transaction, Aero Group, Inc. and Aero North will continue to operate as wholly-owned, separate affiliates of Syndeo. Applicants assert that a grant of the application would serve the public interest, convenience, and necessity. We accept this application for filing under section 63.03(b)(2)(i) of the Commission's rules.³

¹ See 47 U.S.C. § 214; 47 CFR §§ 63.03-04. Applicants filed a supplement to their Application on July 13, 2020. Letter from Connie Wightman, Consultant, to Marlene H. Dortch, Secretary, Federal Communications Commission at 2 (July 13, 2020) (on file in WC Docket No. 20-184) (Applicants' Supplement).

² Applicants state that Aero North provides service in a small number of other counties through resale of other carrier's network facilities. Applicants further state that "any overlap with Syndeo will be incidental." Applicants' Supplement at 2.

³ 47 CFR § 63.03(b)(2)(i).

Domestic Section 214 Application Filed for the Transfer of Control of Aero North Communications, Inc. to Syndeo Networks, Inc., WC Docket No. 20-184 (filed May 29, 2020).

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 August 12, 2020**, and reply comments **on or before August 19, 2020**. 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;
- 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.

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.

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.⁴ 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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⁴ See 47 CFR § 1.45(c).