



# PUBLIC NOTICE

**Federal Communications Commission**  
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Washington, D.C. 20554

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**DA 20-936**  
**August 24, 2020**

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE ACQUISITION OF  
CERTAIN ASSETS OF COMSPAN COMMUNICATIONS, INC. BY  
DOUGLAS SERVICES, INC., D/B/A DOUGLAS FAST NET**

**STREAMLINED PLEADING CYCLE ESTABLISHED**

**WC Docket No. 20-253**

**Comments Due: September 7, 2020**  
**Reply Comments Due: September 14, 2020**

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on an application filed by Comspan Communications, Inc. (Comspan) and Douglas Services, Inc., d/b/a Douglas Fast Net (DFN) (together, Applicants), pursuant to section 214 of the Communications Act of 1934, as amended, and sections 63.03-04 of the Commission's rules, requesting approval for the transfer of certain assets of Comspan to DFN.<sup>1</sup>

Comspan, an Oregon corporation, provides, as described by Applicants, competitive local exchange carrier (LEC) service to 1,343 working lines in the Bandon, Roseburg, Coquille, Glendale, Myrtle Point, and Reedsport exchanges in Oregon.<sup>2</sup> DFN, also an Oregon corporation, provides, as described by Applicants, competitive LEC services to 5,023 working lines in the Roseburg, Camas Valley, Drain, Glide, Yoncalla, Sutherlin, Winston, and Coos Bay exchanges in Oregon.<sup>3</sup> DFN is wholly owned by Douglas Electric Cooperative (DEC), an Oregon cooperative corporation, of which no single individual or entity holds a 10% or greater direct or indirect interest. Applicants state that neither DFN nor DFC hold a 10% or greater interest in any other domestic telecommunications provider. Applicants further state that Comspan and DFN provide overlapping

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<sup>1</sup> See 47 U.S.C. § 214; 47 CFR §§ 63.03-04. On August 13, 2020, Applicants filed two supplements to their application. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications.

<sup>2</sup> Applicants state that Comspan is authorized to, but does not currently, provide service as a competitive LEC in the exchanges of Sutherlin and Winston, Oregon. They further state that Comspan is designated as an Eligible Telecommunications Carrier (ETC) that receives Universal Service Fund (USF) support and also offers Lifeline services.

<sup>3</sup> Applicants state that DFN is also designated as an ETC that receives USF and also offers Lifeline services.

competitive LEC services in the Roseburg exchange and that there are adjacent service territories between the companies.<sup>4</sup>

Pursuant to the terms of the proposed transaction, DFN will acquire certain assets and the customer base of Comspan.<sup>5</sup> Applicants request streamlined treatment of the proposed transaction under the Commission's rules and 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.<sup>6</sup>

Domestic Section 214 Application Filed for the Transfer of Control of  
Comspan Communications, Inc. to Douglas, Services, Inc., d/b/a Douglas Fast Net,  
WC Docket No. 20-253 (filed Aug. 7, 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 September 7, 2020**, and reply comments **on or before September 14, 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) Tracey Wilson, Competition Policy Division, Wireline Competition Bureau, [tracey.wilson@fcc.gov](mailto:tracey.wilson@fcc.gov);
- 2) Greg Kwan, Competition Policy Division, Wireline Competition Bureau, [gregory.kwan@fcc.gov](mailto:gregory.kwan@fcc.gov); and
- 3) Jim Bird, Office of General Counsel, [jim.bird@fcc.gov](mailto:jim.bird@fcc.gov).

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<sup>4</sup> Applicants state that the Reedsport, Coquille, Bandon, and Myrtle Point exchanges are adjacent to the Coos Bay exchange.

<sup>5</sup> Applicants state that, following the consummation of the transaction, Comspan will no longer be an operating company offering telecommunications services.

<sup>6</sup> 47 CFR § 63.03(b)(2)(i).

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.<sup>7</sup> 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.

**FCC**

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<sup>7</sup> See 47 CFR § 1.45(c).