



PUBLIC NOTICE

Federal Communications Commission
45 L St., N.E.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>

DA 21-1083

September 1, 2021

DOMESTIC SECTION 214 APPLICATIONS FILED FOR THE ACQUISITION OF CERTAIN ASSETS OF PROTEL ADVANTAGE, INC. AND AFFORDABLE LONG DISTANCE LLC BY LEGENT COMM LLC

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket Nos. 21-336, 21-337

Comments Due: September 15, 2021

Reply Comment Due: September 22, 2021

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on applications filed pursuant to section 214 of the Communications Act of 1934, as amended, and sections 63.03-04 of the Commission's rules, separately requesting consent to transfer certain assets of Protel Advantage, Inc. (Protel) and Affordable Long Distance LLC (Affordable Long Distance) to Legent Comm LLC (Legent Comm) (together, Applicants).¹

Protel, a Minnesota corporation, provides domestic resold interexchange services to customers in Arkansas, Colorado, Hawaii, Idaho, Indiana, Michigan, North Dakota, Nebraska, New Jersey, Nevada, New York, Pennsylvania, Virginia, and Washington.

Affordable Long Distance, a Minnesota limited liability company, provides domestic resold interexchange services to customers in Arkansas, Colorado, Illinois, Indiana, Massachusetts, Michigan, New Jersey, New York, Texas, and Virginia.

Legent Comm, a Nevada limited liability company, provides domestic resold interexchange services throughout the United States. Legent Comm is wholly owned by Scott A. White, a U.S. citizen.

Pursuant to the terms of the proposed transactions, Legent Comm will acquire Protel's long distance customers (approximately 618 customers) and Affordable Long Distance's long distance customers (approximately 381 customers). Applicants state that customers will continue to receive the resold long distance services under the same rates, terms, and conditions. Upon closing of the transaction, Protel and Affordable Long Distance will no longer provide resold long distance service.

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

Applicants request streamlined treatment of the proposed transactions under the Commission's rules and assert that a grant of the applications would serve the public interest, convenience, and necessity. We accept the applications for filing under section 63.03(b)(2)(i) of the Commission's rules.²

Domestic Section 214 Application Filed for the Transfer of Control of Protel Advantage, Inc. to Legent Comm LLC,
WC Docket No. 21-336 (filed Aug. 19, 2021).

Domestic Section 214 Application Filed for the Transfer of Control of Affordable Long Distance LLC to Legent Comm LLC,
WC Docket No. 21-337 (filed Aug. 19, 2021).

GENERAL INFORMATION

The transfers identified herein have been found, upon initial review, to be acceptable for filing as streamlined applications. 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 15, 2021**, and reply comments **on or before September 22, 2021**. 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;
- 3) David Krech, Telecommunications and Analysis Division, International Bureau, david.krech@fcc.gov; and
- 4) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

People with Disabilities: We ask that requests for accommodations be made as soon as possible in order to allow the agency to satisfy such requests whenever possible. Send an email to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at (202) 418-0530.

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

² 47 CFR § 63.03(b)(2)(i).

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 applications 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.³ 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.

FCC

³ See 47 CFR § 1.45(c).