



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 21-1084
September 1, 2021

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL
OF CHESNEE TELEPHONE COMPANY, INCORPORATED
TO COMPORIUM, INC.**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 21-322

Comments Due: September 15, 2021
Reply Comments Due: September 22, 2021

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on an application, filed pursuant to section 214 of the Communications Act of 1934, as amended, and sections 63.03-04 of the Commission's rules, to transfer control of Chesnee Telephone Company, Incorporated (Chesnee Telephone) from Skyline Telephone Membership Corporation d/b/a SkyLine Membership Corporation (SkyLine) to Comporium, Inc. (Comporium) (collectively, Applicants).¹

Chesnee Telephone, a South Carolina corporation, is an incumbent local exchange carrier (LEC) serving approximately 1,737 access lines in Spartanburg and Cherokee counties in northwestern South Carolina. Chesnee Cable, a South Carolina corporation and wholly owned subsidiary of Chesnee Telephone, provides interexchange services to Chesnee Telephone customers, and also provides cable TV services and broadband services. SkyLine, a North Carolina corporation and telecommunications provider in Tennessee and North Carolina, owns all of the shares of capital stock of Chesnee Telephone.

Comporium, a South Carolina corporation, and its affiliates, provides service as an incumbent LEC to approximately 84,000 access lines in 32 exchanges in South Carolina and North Carolina. Specifically, Comporium provides service as an incumbent LEC in South Carolina and owns the following U.S.-based entities: Fort Mill Telephone Company (100% interest), which provides service as an incumbent LEC in South Carolina; Citizens Telephone Company (100% interest), which provides service as an incumbent LEC in North Carolina; Lancaster Telephone Company (95.52% interest), which provides service as an incumbent LEC in South Carolina; Home

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

Telephone Company, Inc. (47.80% interest), which is the sole member of Home Telephone ILEC, LLC d/b/a Home Telecom, which provides service as an incumbent LEC in South Carolina; and PBT Telecom, Inc. (100% interest), which provides service as an incumbent LEC in South Carolina.² Comporium and its affiliates also provide competitive telecommunications services, wireless services, cable TV, and other services in communities neighboring its incumbent LEC service areas. Applicants state that the service areas of Comporium and its affiliates do not overlap and are not adjacent to the service areas of Chesnee Telephone and Chesnee Cable.

The following U.S. individuals or entities directly or indirectly own at least 10% of the equity of Comporium: Bryant G. Barnes 2015 Revocable Trust (16.19%), 2007 Jean D. Barnes Irrevocable Trust Dated March 22, 2007 (16.54%), Edwin Ladson Barnes Revocable Living Trust Dated March 7, 2017 (16.33%), and LAB Associates, Limited Partnership (46.03%).³

Pursuant to the terms of the proposed transaction, Comporium will purchase 100% of the issued and outstanding shares of Chesnee Telephone from SkyLine. As a result of the transaction, Comporium will acquire complete control of Chesnee Telephone and its wholly owned subsidiary, Chesnee Cable.

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 the application for filing under section 63.03(b)(2)(iii) of the Commission's rules.⁴

Domestic Section 214 Application Filed for the Transfer of Control of Chesnee Telephone Company, Incorporated, WC Docket No. 21-322 (filed Aug. 9, 2021).

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 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) Tracey Wilson, Competition Policy Division, Wireline Competition Bureau, tracey.wilson@fcc.gov;

² Applicants provided a list of all Comporium operating affiliates in the application.

³ All of the general partners and limited partners of LAB Associates Limited Partnership are U.S. citizens and U.S. entities.

⁴ 47 CFR § 63.03(b)(2)(iii).

- 2) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, dennis.johnson@fcc.gov;
- 3) David Krech, 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 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.⁵ 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 Dennis Johnson at (202) 418-0809, Wireline Competition Bureau.

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⁵ See 47 CFR § 1.45(c).