



# 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 21-1139  
September 10, 2021

## DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF NEBRASKA CENTRAL TELEPHONE COMPANY AND NEBRASKA CENTRAL TELECOM, INC. TO NEDELCO, INCORPORATED

### STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 21-344

**Comments Due: September 24, 2021**  
**Reply Comment Due: October 1, 2021**

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on an application filed by NCTC Holdings, Inc. (Holdings), Nebraska Central Telephone Company (NCTC), Nebraska Central Telecom, Inc. (Telecom), and Nedelco, Incorporated (Nedelco) (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 NCTC and Telecom from Holdings to Nedelco.<sup>1</sup>

Holdings, a Nebraska corporation, wholly-owns both NCTC and Telecom, also Nebraska corporations. NCTC provides service as a rural incumbent local exchange carrier (LEC) to approximately 3,850 access lines in portions of 15 counties in central Nebraska.<sup>2</sup> Telecom provides service as a reseller of long distance services to approximately 3,400 customers in the service area of NCTC and also provides cable television service within the service area of NCTC.

Nedelco, a Nebraska corporation, is a holding company that does not itself provide telecommunication services. Applicants state that the following U.S. entities hold a 10% or greater interest in Nedelco: Nelson Investments, LLC (NIL) (30%);<sup>3</sup> Madrona Investments, LLC (Madrone) (33%);<sup>4</sup> and Canine Companions Charitable Properties, LLC (CCCCP) (29%).<sup>5</sup> Nedelco

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<sup>1</sup> See 47 U.S.C. § 214; 47 CFR §§ 63.03-04. Applicants also filed applications for the transfer of authorizations associated with international services. On September 9, 2021 and September 10, 2021, Applicants filed supplements to their domestic section 214 application. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications.

<sup>2</sup> NCTC serves portions of Custer, Wheeler, Rock, Loup, Holt, Garfield, Hall, Buffalo, Greeley, Howard, Kearney, Blaine, Valley, Sherman, and Adams counties.

<sup>3</sup> John A. Nelson, a U.S. citizen, holds a 41.64% interest in NIL.

<sup>4</sup> Mr. James E. Nelson, a U.S. citizen, is the Manager of Madrona and is authorized to vote Madrona's stock interest in Nedelco. Applicants state that the Nelson Family Irrevocable Trust, a Washington Trust, holds a 79.75% interest in Madrona. The beneficiary of NFIT is Elizabeth Nelson Lui, a U.S. citizen.

<sup>5</sup> CCCC is a wholly-owned subsidiary of Canine Companions for Independence, Inc. (CCI), both California entities which do not provide any telecommunications services. The management of CCCC is vested in CCI's board of directors, consisting of 21 board members, each of which are U.S. citizens with exception of one Australian citizen.

wholly-owns Hamilton Telephone Company (HTC), a rural incumbent LEC serving south central Nebraska and Hamilton Long Distance Company (HLDC), which holds competitive LEC authority in Nebraska and Louisiana and provides long distance services within its own competitive LEC service area as well as in around the service area of HTC.<sup>6</sup> There are no overlapping or adjacent service areas between HTC and NCTC. Applicants state that no other individual or entity affiliated with Nedelco holds a 10% or greater direct or indirect interest in any other provider of domestic telecommunications services.

Pursuant to the terms the proposed transaction, Nedelco will acquire all of the outstanding shares of stock of NCTC and Telecom held by Holdings. 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.<sup>7</sup>

Domestic Section 214 Application Filed for the Transfer of Control of  
Nebraska Central Telephone Company and Nebraska Central Telecom, Inc. to Nedelco,  
Incorporated, WC Docket No. 21-344 (filed Aug. 31, 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 24, 2021**, and reply comments **on or before October 1, 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](mailto:tracey.wilson@fcc.gov);
- 2) Gregory Kwan, Competition Policy Division, Wireline Competition Bureau, [gregory.kwan@fcc.gov](mailto:gregory.kwan@fcc.gov);

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<sup>6</sup> Applicants state that HLDC does not provide competitive LEC services in NCTC's incumbent LEC territory. Nedelco also owns: Hamilton.net., Inc., a provider of fixed wireless broadband access services throughout Nebraska, of which, a very small portion (less than approximately 15 customers) reside in the area served by NCTC; Hamilton Relay, Inc., a nationwide provider of Telecommunications Relay Services; Hamilton Cobalt, Inc., a cable television provider operating in Nebraska including discrete areas served by HTC and HLDC; and Hamilton NG911, Inc. (NG911), which holds authority to provide competitive LEC services in Nebraska, Arizona, California, and Oklahoma, however, NG911 does not currently provide such services in any state. Applicants further state that both Holdings and Nedelco each hold a 20% interest in NebraskaLink Holdings, LLC, a fiber transport provider operating in Colorado, Iowa, and Nebraska.

<sup>7</sup> 47 CFR § 63.03(b)(2)(iii).

- 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](mailto: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.<sup>8</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.

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<sup>8</sup> See 47 CFR § 1.45(c).