



PUBLIC NOTICE

Federal Communications Commission
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News Media Information 202 / 418-0500
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DA 21-24
January 7, 2021

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE ACQUISITION OF
CERTAIN ASSETS OF NORTHERN IOWA COMMUNICATIONS PARTNERS, LLC
BY PREMIER COMMUNICATIONS, INC.**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 21-4

Comments Due: January 21, 2021
Reply Comments Due: January 28, 2021

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on an application filed by Northern Iowa Communications Partners, LLC (NICP) and Premier Communications, Inc. (Premier) (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 acquisition of NICP's customer base in Estherville, Iowa, by Premier.¹

NICP, an Iowa limited liability corporation, provides competitive local exchange carrier (LEC) and long distance services to approximately 15 business customers in the town of Estherville in Emmet County, Iowa.²

Premier, an Iowa corporation, provides competitive LEC and other telecommunications services in the Iowa exchanges of Akron, Boyden, Doon, Hull, Ireton, Rock Valley, Rock Rapids, LeMars, Orange City, George, Merrill, Ashton, Arnolds Park, Lake Park, Sheldon, Ocheyedan, Milford, Spirit Lake, Fostoria, and a portion of the Minnesota exchange of Ellsworth that falls within Iowa. Premier is wholly owned by Mutual Telephone Company of Sioux Center, Iowa d/b/a Premier Communications (Mutual), an Iowa corporation, which provides service as an incumbent LEC in the Sioux Center, Iowa exchange.³ Applicants state that, other than what is disclosed in the

¹ See 47 U.S.C. § 214; 47 CFR §§ 63.03-04. Applicants also filed an application for the transfer of authorizations associated with international authorizations. On January 6, 2021, Applicants filed a supplement 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.

² Applicants state that the town of Estherville is located within the Estherville exchange served by CenturyLink. Applicants further state that NICP also has competitive LEC authority in the city of Emmetsburg in Palo Alto County, Iowa.

³ Applicants state that no single individual or entity holds a 10% or greater interest in Mutual. Applicants also state that Mutual also wholly owns the following incumbent LECs: Northern Iowa Telephone Company (Northern Iowa Telephone), an Iowa corporation, which provides service in the Iowa exchanges of Hinton,

application, neither Mutual, nor any of its affiliates, hold a 10% or greater interest in any other domestic provider of telecommunications services.⁴

Pursuant to the terms of the proposed transaction, Premier will acquire the customer base of NICP in the town of Estherville, Iowa.⁵ 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.⁶ We accept this application for filing under section 63.03(b)(2)(ii) of the Commission's rules.⁷

Domestic Section 214 Application Filed for the Acquisition of Certain Assets of Northern Iowa Communications Partners, LLC to Premier Communications, Inc., WC Docket No. 21-4 (filed Jan. 4, 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 January 21, 2021**, and reply comments **on or before January 28, 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.

Matlock, Maurice, Sanborn, Little Rock, and Granville; Webb-Dickens Telephone Corporation, an Iowa corporation, which provides service in the Iowa exchange of Dicken and Webb; Hospers Telephone Exchange, Inc. (Hospers), an Iowa corporation, which provides service in the Iowa exchange of Hospers; and Heartland Telecommunications Company of Iowa, a Minnesota corporation, which provides services in the Iowa exchanges of Akron, Boyden, Doon, Hawarden, Hull, Ireton, Rock Rapids, Rock Valley, and Sibley, and the Minnesota exchange of North Rock Rapids, and the South Dakota exchanges of West Akron and West Hawarden.

⁴ Applicants state that Mutual also holds a 20.41% interest in FiberNet Communications L.C. (FiberNet), an Iowa corporation, which provides transport and special access telecommunications in Iowa. Northern Iowa Telephone also holds a 23.34% interest in FiberNet, and Hospers holds a 5.25% interest in FiberNet. Mutual also wholly owns MTC Holdings, Inc. (MTC), an Iowa corporation and holding company that, in turn, holds the following interests: FiberComm, L.C. (30%), an Iowa corporation that provides competitive LEC services in Sioux City, Iowa; Milford Communications, LLC (50%), an Iowa corporation that provides cable and broadband services in Milford and Fostoria, Iowa; and Estherville Communications, LLC (Estherville Communications) (50%), a Iowa corporation that provides broadband services in Estherville, Iowa.

⁵ Applicants state that NICP currently provides telecommunications services over facilities owned by Estherville Communications through a network lease agreement and that, upon completion of the proposed transaction, Premier will enter into a similar network lease agreement with Estherville Communications to provide service to the customers acquired through this transaction.

⁶ Applicants state that there are no overlap or adjacency of service areas between NICP and Premier, nor any of Premier's incumbent LEC affiliates.

⁷ 47 CFR § 63.03(b)(2)(ii).

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) Gregory Kwan, Competition Policy Division, Wireline Competition Bureau, gregory.kwan@fcc.gov;
- 3) Sumita Mukhoty, Policy Division, International Bureau, sumita.mukhoty@fcc.gov; and
- 4) 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.⁸ 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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⁸ See 47 CFR § 1.45(c).