



# 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 21-829  
July 14, 2021

## DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CERTAIN AUTHORIZATIONS OF ECHO WIRELESS BROADBAND, INC. TO RESOUND NETWORKS, LLC

### NON-STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 21-277

**Comments Due: July 28, 2021**  
**Reply Comments Due: August 4, 2021**

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on an application,<sup>1</sup> 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 Echo Wireless Broadband, Inc.'s (Echo) domestic section 214 authorization to Resound Networks, LLC (Resound) (collectively, Applicants).<sup>2</sup>

Echo, a Texas corporation, is an eligible telecommunications carrier (ETC) in certain areas in Texas and New Mexico.<sup>3</sup> During the Connect America Fund (CAF) Phase II Auction, Echo won the rights to service 439 census blocks in Texas and 200 census blocks in New Mexico.<sup>4</sup> Though Echo began receiving CAF Phase II support in September 2019, it states that it has not yet

---

<sup>1</sup> Application of Echo Wireless Broadband, Inc. and Resound Networks, LLC. For Consent to Assignment Of Domestic Section 214 Application, WC Docket No. 21-277 (filed Jun. 28, 2021), <https://ecfsapi.fcc.gov/file/10602226363779/Final%206-2-2021%20-%20Point%20-%20GTCR%20Domestic%20214%20Application.pdf> (Application).

<sup>2</sup> See 47 U.S.C. § 214; 47 CFR §§ 63.03-04. On July 2, 2021, Applicants filed a supplement to their domestic section 214 application. Letter from Stephen E. Coran, Counsel to Resound, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 21-277 (filed July 2, 2021) (Supplement). Any action on the section 214 application is without prejudice to Commission action on other related, pending applications.

<sup>3</sup> Application at 5.

<sup>4</sup> Application at 3. See *Connect America Fund Phase II Auction Support Authorized for 1,031 Winning Bids*, AU Docket No. 17-182, WC Docket No. 10-90, Public Notice, 34 FCC Rcd 8009, 8046, Attach. A (Authorized Long-Form Applicants and Winning Bids) (WCB 2019).

established facilities or offered any voice services to the customers serviced through the CAF Phase II support.<sup>5</sup>

Also based in Texas, Resound is a fixed broadband and voice service provider.<sup>6</sup> Resound participated in and won the rights to provide service to customers in Texas, New Mexico, Arizona, Arkansas, Colorado, Kansas, and Oklahoma through the Rural Digital Opportunity Fund (RDOF) Auction.<sup>7</sup> Resound has been designated as an ETC for the census blocks it won during the RDOF Auction in Texas and New Mexico.<sup>8</sup> The following U.S. entity and U.S. citizens own 10% or more of Resound: Curtis Resound Group (16.49%); Quentin C. Giles (10.84%), and Bryan E. Waldrip (46.11%).<sup>9</sup>

Pursuant to the terms of the proposed transaction, Applicants seek Commission approval to transfer the CAF Phase II support obligations in Texas and New Mexico from Echo, which is exiting the business, to Resound.<sup>10</sup>

Applicants assert that a grant of the Application would serve the public interest, convenience, and necessity.<sup>11</sup> Applicants state, after consummation of the proposed transaction, “no carrier change charges will result from the transaction, and no customer service or billing contact information will change as a result of the transaction.”<sup>12</sup> Applicants maintain that Resound has the “necessary industry experience and requisite financial means to take on the responsibility of deploying CAF-supported voice and broadband service in census blocks it proposes to assume from Echo.”<sup>13</sup> Applicants further state the census blocks Resound would acquire and provide service to are near or directly adjacent to ones it already services, allowing it to “achieve economies of scale

---

<sup>5</sup> Application at 3-4.

<sup>6</sup> *Id.* at 3.

<sup>7</sup> *Id.* at 4. See *Rural Digital Opportunity Fund Phase I Auction (Auction 904) Closes; Winning Bidders Announced*, AU Docket No. 20-34, WC Docket No. 19-126, WC Docket No. 10-90, Public Notice, 35 FCC Rcd 13888, 13924, Attach. A (Winning Bidder Summary) (WCB/OEA 2020).

<sup>8</sup> Application at 4; Applicants state that on May 21, 2021, Resound and Echo jointly applied to the Texas Public Utility Commission seeking approval for Echo to relinquish its Texas ETC designation and for Resound to expand its ETC designation to include the relinquished census blocks. *Id.* at 5 (citing *Application of Echo Wireless Broadband, Inc. to Relinquish its ETC Designation and Application of Resound Networks, LLC for ETC Designation for the Service Area Previously Designated for Echo Wireless Broadband, Inc.*, Project No. 52147 (Tex. Pub. Util. Comm’n. May 21, 2021)).

<sup>9</sup> Application at 12-13; Supplement at 2. Applicants state that Resound is not affiliated with any other telecommunications provider. Supplement at 2.

<sup>10</sup> Application at 6, 9. See *Telecommunications Carriers Eligible for Universal Service Support*, WC Docket No. 09-197, *Connect America Fund*, WC Docket No. 10-90, Order, DA 21-663, para. 30 (WCB 2021) (“ETCs seeking to transfer control of their domestic authorizations to operate pursuant to section 214 of the Act or to engage in the sale of assets under section 214 (including any authorization to receive RDOF support) must first receive approval from the Commission in accordance with sections 63.03 and 63.04 of the Commission’s rules governing the procedures for domestic transfer of control/asset applications.”). Applicants state that Resound has already acquired Echo’s non-CAF assets. Application at 4-5.

<sup>11</sup> Application at 7.

<sup>12</sup> *Id.* at 6.

<sup>13</sup> *Id.* at 7. See Supplement at 1-2 and Attach A (Management and Experience of Resound Networks, LLC).

and leverage its labor force, infrastructure, and operational capabilities to rapidly and cost effectively build out Echo's CAF areas as it expands its broadband operation."<sup>14</sup>

Because the proposed transaction is more complex than usual, and in order to analyze whether the proposed transaction would serve the public interest, we accept the Application for non-streamlined processing.<sup>15</sup>

## **GENERAL INFORMATION**

The application identified herein has been found, upon initial review, to be acceptable for filing. The Commission reserves the right to return any application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies.

Interested parties may file comments **on or before July 28, 2021**, and reply comments **on or before August 4, 2021**. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by paper.

- **Electronic Filers:** Comments may be filed electronically by accessing ECFS at <http://apps.fcc.gov/ecfs/>.
- **Paper Filers:** Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.
  - Filings can be sent by commercial overnight courier or by first-class or overnight U.S. Postal Service mail.<sup>16</sup> All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.
  - Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 45 L Street, NE, Washington, DC 20554.

**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.

### **In addition, e-mail one copy of each pleading to each of the following:**

- 1) Tracey Wilson, Competition Policy Division, Wireline Competition Bureau, [traceyt.wilson@fcc.gov](mailto:traceyt.wilson@fcc.gov);

---

<sup>14</sup> Application at 7.

<sup>15</sup> 47 CFR § 63.03(c)(1)(v).

<sup>16</sup> Effective March 19, 2020, and until further notice, the Commission no longer accepts any hand or messenger delivered filings. This is a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID-19. See *FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy*, Public Notice, DA 20-304 (March 19, 2020). <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>

- 2) Brian Cruikshank, Competition Policy Division, Wireline Competition Bureau, [brian.cruikshank@fcc.gov](mailto:brian.cruikshank@fcc.gov); and
- 3) Jim Bird, Office of General Counsel, [jim.bird@fcc.gov](mailto:jim.bird@fcc.gov)

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>17</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 Brian Cruikshank at (202) 418-3623, Wireline Competition Bureau.

-FCC-

---

<sup>17</sup> See 47 CFR § 1.45(c).