



PUBLIC NOTICE

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DA 22-1013
September 27, 2022

DOMESTIC 214 APPLICATION GRANTED FOR THE ACQUISITION OF CERTAIN ASSETS OF WIN, LLC BY WISCONSIN TELCOM SWITCHING, LLC

WC Docket No. 22-285

By this Public Notice, the Wireline Competition Bureau (Bureau) grants an application filed by WIN, LLC f/k/a Wisconsin Independent Network, LLC (WIN) and Wisconsin Telcom Switching, LLC (WTS) (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 a portion of WIN's business and facilities to WTS.¹

On August 18, 2022, the Bureau released a public notice seeking comment on the Application.² No party filed comments in opposition to a grant of the Application, and the Bureau finds, upon consideration of the record, that granting the Application will serve the public interest, convenience, and necessity.³ Pursuant to section 1.103 of the Commission's rules, 47 C.F.R. §

¹ See 47 U.S.C. § 214; 47 CFR §§ 63.03-04. WIN, LLC and Wisconsin Telcom Switching, LLC Application for Assignment of Domestic Section 214 Authorization, WC Docket No. 22-285 (filed July 29, 2022) (Application). Applicants filed a supplement to their application on August 11, 2022. Letter from Gerry J. Duffy, Counsel to WIN, LLC and Wisconsin Telcom Switching, LLC, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 22-285 (filed on Aug. 11, 2022).

² *Domestic Section 214 Application Filed for the Acquisition of Certain Assets of Win, LLC by Wisconsin Telcom Switching, LLC*, WC Docket No. 22-285, Public Notice, DA 22-866 (WCB 2022).

³ According to Applicants, WTS will operate as a competitive access provider post-transaction and continue offering services to WIN's interexchange customers and other carriers. Application at 9. WTS is owned in equal 25% member interests by the following four Wisconsin rural incumbent LECs: (1) Amery Telephone Company, Inc. d/b/a Northwest Communications; (2) Farmers Independent Telephone Company d/b/a Grantsburg Telcom; (3) Lakeland Communications Group, LLC; and (4) Wittenberg Telephone Company d/b/a Cirrinity. The competitive LEC assets that WIN would sell to WTS are used to provide telecommunications services in areas served by the entities that own WTS. The Commission has not found significant competitive harm in certain transactions involving the combination of providers. See, e.g., *Applications of Level 3 Communications, Inc. and CenturyLink, Inc. for Consent to Transfer Control of Licenses and Authorizations*, Memorandum Opinion and Order, 32 FCC Red 9581, 9594, 9605, paras. 26 and 52 (2017) (finding no harm to competition in CenturyLink's incumbent LEC territory, nor outside of CenturyLink's incumbent LEC territory, where applicants operate as competitive LECs, and further finding that the transaction "will expand the on-net reach of the newly combined firm resulting in a more effective and stronger competitor against larger cable and incumbent LEC competitors, among others, particularly outside of Century Link's incumbent LEC region, where it, like Level 3, operates as a competitive LEC."); *Joint Applications of Telephone and Data Systems, Inc. and Chorus Communications, Ltd. For Authority to Transfer Control of Commission Licenses and Authorizations Pursuant to Sections 214 and 310(d) of the*

1.103, the grant is effective upon release of this Public Notice. Petitions for reconsideration under section 1.106 or applications for review under section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of this Public Notice.

Domestic Section 214 Application Filed for the Acquisition of Certain Assets of WIN, LLC by Wisconsin Telecom Switching, LLC, WC Docket Nos. 22-285, Public Notice, DA 22-866 (WCB 2022).

For further information, please contact Myrva Charles at (202) 418-1506 or Dennis Johnson at (202) 418-0809, Competition Policy Division, Wireline Competition Bureau.

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Communications Act and Parts 22, 63 and 90 of the Commission's Rules, Memorandum Opinion and Order, 16 FCC Red 15293, 15296-99, para. 9-10 (CCB/WTB 2001) (authorizing a transfer of control involving an incumbent LEC and a competitive in-region provider of local exchange and exchange access services where overlap was limited and the transaction overall resulted in public interest benefits).