



PUBLIC NOTICE

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DA 22-686

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**DOMESTIC 214 APPLICATION GRANTED FOR THE TRANSFER OF CONTROL OF
MOUNDRIDGE TELEPHONE COMPANY, MOUNDRIDGE TELCOM, INC., AND
MID-KANSAS CABLE SERVICES, INC.
TO RURAL TELEPHONE SERVICE COMPANY, INC.**

WC Docket No. 22-173

By this Public Notice, the Wireline Competition Bureau (Bureau) grants the application filed by Emmental, Inc. (Emmental), Moundridge Telephone Company (Moundridge), Moundridge Telecom, Inc. (MTI), Mid-Kansas Cable Services, Inc. (Mid-Kansas) (collectively, Transferors), and Rural Telephone Service Company, Inc. dba Nex-Tech (RTSC) (RTSC, together with Transferors, 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 transfer of control of the Transferors to RTSC.¹

On May 25, 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. The Bureau

¹ See 47 U.S.C. § 214; 47 CFR §§ 63.03-04. See Application of Emmental, Inc., Moundridge Telephone Company, Moundridge Telcom, Inc., and Mid-Kansas Cable Services, Inc. to Rural Telephone Service Company, Inc., WC Docket No 22-173 (filed Apr. 25, 2022) (Application). Applicants also filed an application for the transfer of an authorization associated with international service. On May 16, 2022, Applicants filed a supplement to their domestic section 214 application. Supplement to the Application for Transfer of Control of Domestic and International Section 214 Authorizations, WC Docket No. 22-173 (filed May 16, 2022) (Supplement). On June 21, 2022, Applicants filed a second supplement. Second Supplement to the Application for Transfer of Control of Domestic and International Section 214 Authorizations, WC Docket No. 22-173 (filed June 21, 2022) (Second Supplement). Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications.

² *Domestic Section 214 Application Filed for the Transfer of Control of Moundridge Telephone Company, Moundridge Telcom, Inc., and Mid-Kansas Cable Services, Inc. to Rural Telephone Service Company, Inc.*, WC Docket No. 22-173, Public Notice, DA 22-579 (WCB 2022). Emmental is a holding company that provides telecommunications services in Kansas through its direct and indirect wholly-owned subsidiaries, Moundridge, an incumbent LEC, MTI, a long distance provider, and Mid-Kansas, a competitive LEC. Application at 2; Supplement at 3-4. Moundridge elected to receive fixed universal service support under the Alternative Connect America Cost Model (A-CAM). Supplement at 4 and Exh. C (Moundridge Telephone Company High-Cost Program Disbursements). See *Wireline Competition Bureau Authorizes 182 Rate-of-Return Companies to Receive \$454 Million Annually in Alternative Connect America Cost Model Support to Expand Rural Broadband*, WC Docket No. 10-90, Public Notice, 32 FCC Rcd 842, Attach. (WCB 2017); Universal Service Administrative Co., Tools, "ACAM, ACAM II and CAF BLS Buildout Requirements," <https://www.usac.org/high-cost/resources/tools/>. RTSC provides service as an incumbent LEC in Kansas, and

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. § 1.103, the grant is effective upon release of this Public Notice.⁴ 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 Transfer of Control of Moundridge Telephone Company, Moundridge Telecom, Inc., and Mid-Kansas Cable Services, Inc. to Rural Telephone Service Company, Inc., WC Docket No. 22-173 (filed Apr. 25, 2022).

For further information, please contact Gregory Kwan at (202) 418-1191, Competition Policy Division, Wireline Competition Bureau.

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Applicants state that the RTSC incumbent LEC exchanges do not overlap and are not adjacent to the incumbent LEC exchanges served by Moundridge. Application at 2, Supplement at 5-6 and Exh. F (Map). RTSC wholly-owns Nex-Tech, LLC (Nex-Tech), which provides service as a competitive LEC in portions of Kansas, including in one exchange served by Mid-Kansas. Supplement at 2, 6, and Exh. E (Nex-Tech, LLC CLEC Exchanges and Counties).

³47 CFR §§ 63.03; *see Implementation of Further Streamlining Measures for Domestic Section 214 Authorizations*, CC Docket No. 01-150, Memorandum Opinion and Order, 17 FCC Rcd 5517, 5534, para. 32 (2002) (finding that combinations involving incumbent LECs with fewer than two percent of the nation's subscriber lines and that do not have overlapping or adjacent service territories raise less significant public interest concerns); *Applications of Level 3 Communications, Inc. and CenturyLink, Inc. for Consent to Transfer Control of Licenses and Authorizations*, Memorandum Opinion and Order, 32 FCC Rcd 9581, 9594, 9605, paras. 26 and 52 (2017) (finding no harm to competition 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.").

⁴ Applicants acknowledge that RTSC, like Moundridge, receives A-CAM funding, and state that the consummation of the proposed transaction will not impair Applicants' ability to fulfill all deployment obligations associated with Moundridge's A-CAM support, and that Applicants will continue to satisfy all applicable support requirements. Second Supplement at 1.