



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 24-194
Released: March 1, 2024

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE
TRANSFER OF CONTROL OF MONON TELEPHONE COMPANY INC. TO
PULASKI-WHITE RURAL TELEPHONE COOPERATIVE INC. D/B/A LIGHTSTREAM**

NON-STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 24-13

Comments Due: March 8, 2024

Reply Comment Due: March 15, 2024

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on an application filed by Monon Telephone Company Inc. (Monon) and Pulaski-White Rural Telephone Cooperative Inc. d/b/a LightStream (LightStream) (together, Applicants), pursuant to section 214(a) of the Communications Act of 1934, as amended, and sections 63.03-04 of the Commission's rules,¹ requesting consent to transfer of control of Monon to LightStream.²

Monon, a privately-held Indiana corporation, provides local exchange services as an incumbent local exchange carrier (LEC) as well as broadband services to residential consumers and business customers in Jasper, Pulaski, and White Counties, Indiana.³

¹ See 47 U.S.C. § 214(a); 47 CFR §§ 63.03-04.

² Domestic Section 214 Application Filed for the Transfer of Control of Monon Telephone Company Inc. to Pulaski-White Rural Telephone Cooperative, Inc., d/b/a LightStream, WC Docket No. 24-13 (filed Jan. 11, 2024) (Application). Applicants filed supplements to the Application on January 31, 2024, February 19, 2024, and February 28, 2024. Letter from Aleasha J. Boling, Counsel for Pulaski-White Rural Telephone Cooperative Inc. d/b/a LightStream, and Robert A. Silverman, Counsel for Monon Telephone Company Inc., to Marlene H. Dortch, Secretary, FCC, WC Docket No. 24-13 (filed Feb. 28, 2024) (Feb. 28 Supplement); Letter from Aleasha J. Boling, Counsel for Pulaski-White Rural Telephone Cooperative Inc. d/b/a LightStream, and Robert A. Silverman, Counsel for Monon Telephone Company Inc., to Marlene H. Dortch, Secretary, FCC, WC Docket No. 24-13 (filed Feb. 19, 2024) (Feb. 19 Supplement); Letter from Aleasha J. Boling, Counsel for Pulaski-White Rural Telephone Cooperative Inc. d/b/a LightStream, and Robert A. Silverman, Counsel for Monon Telephone Company Inc., to Marlene H. Dortch, Secretary, FCC, WC Docket No. 24-13 (filed Jan. 31, 2024) (Jan. 31 Supplement). Applicants also filed an application for the transfer of authorizations associated with international authorizations and wireless authorizations. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications.

³ Application at 1-2. Monon participates in the Lifeline program and the Affordable Connectivity Program (ACP) and will continue to comply with all of the Commission's obligations and the ACP wind-down procedures post-transaction. Jan. 31 Supplement at 1.

LightStream, an Indiana nonprofit corporation, provides facilities-based local exchange, interexchange, Internet protocol-enabled services, and broadband services in Cass, Fulton, Pulaski, and White Counties, Indiana.⁴ LightStream is owned by its members, none of which holds a 10% or greater interest, and is governed by its Board of Directors and key personnel.⁵ Each member of LightStream is a United States citizen.⁶ Applicants state that LightStream does not have any affiliates that provide domestic telecommunications services.⁷

Pursuant to the terms of the proposed transaction, the Applicants entered into a Stock Purchase Agreement, whereby LightStream will purchase all of the outstanding shares of stock from the shareholders of Monon.⁸ Upon consummation of the proposed transaction, Monon will be wholly-owned and controlled by LightStream and its members.⁹

Applicants request streamlined treatment of the transaction and assert that a grant of the application would serve the public interest, convenience, and necessity.¹⁰ Applicants state that Monon's incumbent LEC service area and LightStream's incumbent LEC services are adjacent to each other and serve an overlap area of "approximately 0.05 square miles."¹¹ Because the transaction is more complex than usual, and in order to analyze whether the proposed transaction would serve the public interest, the application will not be streamlined.¹²

Domestic Section 214 Application Filed for the Transfer of Control of Monon Telephone Company Inc. to Pulaski-White Rural Telephone Cooperative, Inc., d/b/a LightStream
WC Docket No. 24-13 (filed Jan. 11, 2024).

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 March 8, 2024**, and reply comments **on or before March 15, 2024**. 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

⁴ *Id.* at 2, Jan. 31 Supplement at 1.

⁵ *Id.* at 2.

⁶ *Id.*

⁷ Feb. 28 Supplement at 1.

⁸ *Id.* at 6.

⁹ *Id.*

¹⁰ *Id.* at 10-11.

¹¹ Feb. 19 Supplement at 1.

¹² 47 CFR § 63.03(c)(1)(v).

number.

- Filings can be sent by commercial overnight courier or by first-class or overnight U.S. Postal Service mail.¹³ 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 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, tracey.wilson@fcc.gov;
- 2) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, dennis.johnson@fcc.gov;
- 3) David Krech, Office of International Affairs, david.krech@fcc.gov; and
- 4) Jim Bird, Office of General Counsel, 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.¹⁴ 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

¹³ 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, 35 FCC Rcd 2788 (OS 2020).

¹⁴ *See* 47 CFR § 1.45(c).

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 Dennis Johnson at dennis.johnson@fcc.gov.

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