



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

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DA 24-87

Released: January 30, 2024

DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF LA PORTE CITY TELEPHONE COMPANY TO ALPINE ACQUISITION GROUP, LLC

NON-STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 23-381

Comments Due: February 13, 2024
Reply Comment Due: February 20, 2024

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on an application filed by La Porte City Telephone Company (LPC) and Alpine Acquisition Group, LLC (AAG) (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 control of LPC to AAG.²

LPC, an Iowa corporation and independent local exchange carrier (LEC), provides local exchange service and exchange access service in the Benton, Black Hawk, Buchanan, and Tama counties of Iowa, to approximately 1,126 total access lines.³ LPC also provides Internet access and digital TV services.⁴ LPC is a designated eligible telecommunications carrier in Iowa and receives

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

² Application for the Transfer of Control of La Porte City Telephone to Alpine Acquisition Group, LLC, pursuant to Section 214 of the Communications Act of 1934, as Amended, WC Docket No. 23-381 (filed Nov. 6, 2023) (Application). Applicants also filed an application for the transfer of authorizations associated with international services. Applicants filed supplements to the Application on November 16, 2023 and January 26, 2024. Supplement to Application for the Transfer of Control of La Porte City Telephone to Alpine Acquisition Group, LLC, pursuant to Section 214 of the Communications Act of 1934, as Amended, WC Docket No. 23-381 (filed Dec. 14, 2023) (Dec. Supplement); Supplement to Application for the Transfer of Control of La Porte City Telephone to Alpine Acquisition Group, LLC, pursuant to Section 214 of the Communications Act of 1934, as Amended, WC Docket No. 23-381 (filed Jan. 26, 2024) (Jan. Supplement). Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications.

³ Application at 5.

⁴ *Id.*

high-cost universal service support through the Connect America Fund Broadband Loop Support (CAF BLS) and High-Cost Loop Support (HCLS) mechanisms.⁵

AAG, an Iowa limited liability company, is a wholly-owned subsidiary of Alpine Communications, L.C. (Alpine), an Iowa limited liability company and independent incumbent LEC that provides telecommunications services in the state of Iowa.⁶ AAG does not offer domestic telecommunications services.⁷ AAG's parent company, Alpine, provides local exchange service and exchange access service in Clayton County and Fayette County, Iowa to approximately 3,548 total access lines. Alpine also provides wireless telecommunications, Internet access, video, and monitored security services.⁸ Alpine also receives high-cost universal service support through the CAF BLS and HCLS mechanisms.⁹

AAG's 10% or greater owner-affiliates are as follows: Breda Telephone Corporation (Breda), an Iowa corporation and incumbent LEC, provides local exchange and exchange access to 781 access lines and also provides long distance, Internet access, digital television, hosted PBX, ethernet transport, and managed IT services (22.96%); Farmers Mutual Telephone Co. (Farmers Mutual), an Iowa corporation and incumbent LEC, provides local exchange and exchange access to 885 access lines and also provides long distance, Internet access, digital television, home security, medical alert, managed Wi-Fi, hosted firewall, and ethernet services (22.18%); Jefferson Telephone Company (Jefferson), an Iowa corporation and incumbent LEC, provides local exchange and exchange access to 1,524 access lines and also provides Internet access, digital and IP television, special access, and managed Wi-Fi services (12.72%); Webster-Calhoun Cooperative Telephone Association (Webster-Calhoun), an Iowa corporation and incumbent LEC, provides local exchange and exchange access to 2,327 access lines and also provides digital television, and hosted and managed Wi-Fi services (12.72%); Van Buren Telephone Company, Inc. (Van Buren), an Iowa corporation and incumbent LEC, provides local exchange and exchange access to 1,524 access lines and also provides Internet access service (12.72%); and RockTel, Inc., a holding company whose sole purpose is to hold a an ownership interest in Alpine and is owned by Rockwell Cooperative Telephone Company (Rockwell), an Iowa corporation and incumbent LEC that provides local exchange and exchange access to 649 access lines and also provides Internet access and IP television services (12.62%).¹⁰ Breda, Jefferson, Van Buren, and Rockwell receive model-based high-cost universal support through the Enhanced Alternative Connect America Cost Model (A-CAM) mechanism in Iowa.¹¹ Webster-Calhoun also receives model-based high-cost universal

⁵ *Id.* at 7; *see also* ACAM, ACAM II, and CAF BLS Buildout Requirements Report, available at Universal Service Administrative Company (USAC), available at <https://www.usac.org/high-cost/funds/acam-ii/> (Authorization Report) (identifying recipients of ACAM, ACAM II, and CAF BLS support). LPC also participates in the Lifeline program and Affordable Connectivity Program in Iowa and will continue to do so post-consummation of the transaction. Application at 7.

⁶ *Id.* at 4.

⁷ *Id.* at 5.

⁸ *Id.*

⁹ *Id.* at 7; *see also* Authorization Report.

¹⁰ Application at 4; Jan. Supplement at 1-2; *see also* Dec. Supplement at 1-2 (listing the geographic service areas for AAG's owner-affiliates).

¹¹ Dec. Supplement at 8; *see also Wireline Competition Bureau Authorizes 368 Companies in 44 States to Receive Enhanced Alternative Connect America Cost Model Support to Expand Rural Broadband*, WC Docket No. 10-90, Public Notice, DA 23-1025 (WCB rel. Oct. 30, 2023).

support through A-CAM II support mechanism in Iowa.¹² Farmers Mutual receives cost-based high-cost universal service support through the HCLS and CAF BLS mechanisms in Iowa.¹³

Pursuant to the terms of the Transaction, AAG will purchase and hold all outstanding shares of stock in LPC, and LPC will continue to operate as a direct, wholly-owned subsidiary of AAG.¹⁴ Applicants assert that the proposed transaction would serve the public interest, convenience, and necessity by ensuring the continued operation of LPC with no interruption in service to LPC's rural customers, by a company with decades of experience in the field that has acted as a manager of LPC since 2009 under a management services agreement.¹⁵ Applicants explain that Alpine, as AAG's parent company, can "realize economies of scale that will help ensure the financial and operational security of the LPC operations."¹⁶ Also, Applicants assert there are no service area overlaps between LPC and Alpine or the AAG owner-affiliates that hold 10% or more interest in AAG through Alpine.¹⁷

Applicants request streamlined treatment of the proposed transaction under the Commission's rules.¹⁸ Because the proposed transaction would involve the exchange and assumption of Universal Service Fund high-cost mechanism obligations, in order to sufficiently analyze whether the proposed transaction would serve the public interest, we accept the Application for non-streamlined processing.¹⁹

Domestic Section 214 Application Filed for the Transfer of Control of
La Porte City Telephone Company to Alpine Acquisition Group, LLC,
WC Docket No. 23-381 (filed Nov. 6, 2023).

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 February 13, 2024**, and reply comments **on or before February 20, 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 number.
 - Filings can be sent by commercial overnight courier or by first-class or overnight

¹² Dec. Supplement at 8; *see also* Authorization Report.

¹³ *Id.*

¹⁴ Application at 5.

¹⁵ *Id.* at 6.

¹⁶ *Id.*

¹⁷ *Id.* at 5; Jan. Supplement at 1.

¹⁸ Application at 5.

¹⁹ *See* 47 CFR § 63.03(c)(1)(v).

U.S. Postal Service mail.²⁰ 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) Megan Danner, Competition Policy Division, Wireline Competition Bureau, megan.danner@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.²¹ 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.

²⁰ 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).

²¹ *See* 47 CFR § 1.45(c).

For further information, please contact Megan Danner at (202) 418-1151.

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