



# PUBLIC NOTICE

**Federal Communications Commission**  
**45 L Street NE**  
**Washington, DC 20554**

News Media Information 202-418-0500  
Internet: [www.fcc.gov](http://www.fcc.gov)

**DA 25-826**

**Released: September 9, 2025**

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE ACQUISITION OF CERTAIN ASSETS OF EVERSTREAM SOLUTIONS LLC, DEBTOR-IN-POSSESSION, EVERSTREAM GLC HOLDING COMPANY, LYNX NETWORK GROUP, INC., DEBTOR-IN-POSSESSION, AND HRS INTERNET, LLC, DEBTOR-IN-POSSESSION BY BLUEBIRD MIDWEST, LLC**

**NON-STREAMLINED PLEADING CYCLE ESTABLISHED**

**WC Docket No. 25-245**

**Comments Due: September 23, 2025**

**Reply Comments Due: September 30, 2025**

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on an application filed by Everstream Solutions LLC, Debtor-in-Possession (Solutions DIP), Everstream GLC Holding Company LLC, Debtor-in-Possession (GLC DIP), Lynx Network Group, Inc., Debtor-in-Possession (Lynx DIP), HRS Internet, LLC, Debtor-in-Possession (HRS DIP, together with Solutions DIP, GLC DIP, and Lynx DIP, Everstream DIP Licensees) and the Acquiring Party, Bluebird MidWest, LLC (Bluebird MidWest), (together, Applicants), pursuant to section 214(a) of the Communications Act of 1934, as amended, and sections 63.04 of the Commission's rules,<sup>1</sup> requesting Commission approval for Bluebird to acquire certain assets and customers of the Everstream DIP Licensees.<sup>2</sup>

The Everstream DIP Licensees own fiber networks and provide broadband Internet, voice, and data services to small and medium-sized and enterprise businesses, as well as carrier, government, and other non-residential customers in Illinois, Indiana, Kentucky, Michigan, Ohio, and Wisconsin, and provide resold enterprise services in Missouri.<sup>3</sup> Licensees and their affiliates (together, Everstream)

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<sup>1</sup> See 47 U.S.C. § 214(a); 47 CFR § 63.04.

<sup>2</sup> Domestic Section 214 Application for the Acquisition of Certain Assets of Everstream Solutions LLC, Debtor-in-Possession, Everstream GLC Holding Company, Lynx Network Group, Inc., Debtor-in-Possession, HRS Internet, LLC, Debtor-In-Possession by Bluebird Midwest, LLC, WC Docket No. 25-245 (filed Aug. 6, 2025) (Application). Applicants also filed supplements to the Application on August 22, 2025 and August 29, 2025. Letter from Danielle Burt and Russell M. Blau, Counsel for Licensees, and Elizabeth R. Park, Counsel for Bluebird MidWest, LLC, to Marlene H. Dortch, Secretary, FCC, WC Docket. 25-245 (filed Aug. 22, 2025) (Aug. 22 Supplement); Letter from Danielle Burt and Russell M. Blau, Counsel for Licensees, and Elizabeth R. Park, Counsel for Bluebird MidWest, LLC, to Marlene H. Dortch, Secretary, FCC, WC Docket. 25-245 (filed Aug. 29, 2025) (Aug. 29 Supplement). Any action on the Application is without prejudice to Commission action on other pending applications or proceedings.

<sup>3</sup> Application at 2. In addition to the states listed above, Solutions DIP holds authority to provide intrastate telecommunications services in Delaware, Maryland, New Jersey, New York, Pennsylvania and West Virginia. *Id.* at 2 n.1. The FCC granted, as of April 5, 2025, the company's application to discontinue interstate telecommunications services in Delaware, Maryland, New Jersey, New York, Pennsylvania and West Virginia in WC Docket No. 25-100. *Id.* Solutions DIP does not provide intrastate services in Delaware, Maryland, New Jersey, New York, and West Virginia and is seeking authority to discontinue intrastate telecommunications services in Pennsylvania pursuant to Pennsylvania Public Utilities Commission Docket No. A-2025-3053757. *Id.*

commenced voluntary Chapter 11 bankruptcy proceedings, and currently are operating as debtors-in-possession subject to bankruptcy court oversight.<sup>4</sup>

Bluebird MidWest is a Delaware limited liability company established as an acquisition vehicle for purposes of the proposed transaction and currently has no other business activities.<sup>5</sup> Bluebird MidWest is a wholly-owned subsidiary of Missouri Network Alliance, LLC (MNA), a Missouri limited liability company that provides telecommunications and Internet services to wholesale and enterprise customers.<sup>6</sup> MNA is a direct, wholly-owned subsidiary of Bluebird Network, LLC (Bluebird Network), a Missouri limited liability company that operates fiber network and data center facilities and is a service provider offering Internet and transport services to carriers and enterprise customers in Missouri, Illinois, Kansas, Iowa and the surrounding states.<sup>7</sup> Bluebird Network is indirectly controlled and managed by various entities that are part of the Macquarie Group, a diversified multinational financial group, headquartered and organized in Australia.<sup>8</sup>

Pursuant to the terms of the proposed transaction, on May 22, 2025, transaction-related parties entered into an Asset Purchase Agreement (Agreement), pursuant to which Bluebird MidWest proposes to acquire substantially all of the Everstream DIP Licensees' assets used in the business and assume certain related liabilities in a sale authorized by the United States Bankruptcy Court for the Southern District of Texas (Bankruptcy Court).<sup>9</sup> Subsequent to entering into the Agreement, the Everstream DIP Licensees, their parent entity, and certain of their affiliates filed voluntary petitions for relief under Chapter 11 of the United States Code in the Bankruptcy Court.<sup>10</sup> Since the filing of these petitions, the Everstream DIP Licensees and their affiliates have continued to operate in the ordinary course as debtors-in-possession under the Bankruptcy Court's oversight.<sup>11</sup> On May 29, 2025, Licensees filed notices pursuant to Section 63.03(d)(2) of the Commission's rules in connection with the pro forma transfer of control and assignment of the Licensees that resulted from the filing of the bankruptcy petitions.<sup>12</sup> On August 1, 2025, the Bankruptcy Court issued an order approving the sale of the Licensees' business to Bluebird MidWest. Following the consummation of the proposed transaction, substantially all of the business of the Licensees will become part of the assets and liabilities of the Bluebird enterprise.<sup>13</sup> Bluebird will be directly managed and controlled by its direct parent, MNA.<sup>14</sup>

Applicants assert that a grant of the Application would serve the public interest, convenience, and necessity.<sup>15</sup> Because the proposed transaction is more complex than those accepted for streamlined treatment, and in order to analyze whether the proposed transaction would serve the public interest, we

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<sup>4</sup> *Id.* at 2; *see also* Aug. 29 Supplement at Exhs. A (updated Pre-Transaction Ownership Chart) & C (updated Pre-Transaction Ownership narrative).

<sup>5</sup> *Id.*

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

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*; Aug. 22 Supplement at 1. MGL is a diversified financial group providing clients with asset management and finance, banking, advisory and risk and capital solutions across debt, equity, and commodities. Application at 2.

<sup>9</sup> *Id.* at 3. Applicants amended the Agreement on July 25, 2025 to reflect the result of the bankruptcy auction process. *Id.* at 4.

<sup>10</sup> *Id.* at 3-4.

<sup>11</sup> *Id.* at 4.

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

<sup>13</sup> *Id.*

<sup>14</sup> *Id.*

<sup>15</sup> *Id.* at 4-8.

accept the Application for non-streamlined processing.<sup>16</sup>

No Referral to Executive Branch Agencies: The Commission determined in the *Executive Branch Review Process Order* that it would not routinely refer to the Executive Branch “standalone applications to transfer control of domestic section 214 authority.”<sup>17</sup> The Commission, however, retains the discretion to refer a domestic-only section 214 transaction should it find that a particular application may raise national security, law enforcement, foreign policy, or trade policy concerns for which it would benefit from the advice of the Executive Branch.<sup>18</sup> Applicants state that the Application involves the transfer of control of assets and customers of the Licensees that involve only domestic section 214 authority and that, consistent with the decision in the *Executive Branch Review Process Order*, the Application does not require a referral to the Executive Branch.<sup>19</sup> We do not find any special circumstances that warrant referral of this Application to the Executive Branch agencies. While we are not referring the Application, we will provide a courtesy copy of this public notice to the Executive Branch agencies.<sup>20</sup>

Domestic Section 214 Application Filed for the Acquisition of Certain Assets of  
Everstream Solutions LLC, Debtor-in-Possession, Everstream GLC Holding Company, Lynx  
Network Group, Inc., Debtor-in-Possession, HRS Internet, LLC, Debtor-In-Possession by  
Bluebird MidWest, LLC, WC Docket No. 25-245 (filed Aug. 6, 2025).

## **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 and reply comments on or before the dates indicated on the first page of this document. Comments may be filed using the Commission’s Electronic Comment Filing System (ECFS).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <https://www.fcc.gov/ecfs/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing.
  - Filings can be sent by hand or messenger delivery, by commercial courier, or by the U.S. Postal Service. **All filings must be addressed to the Secretary, Federal Communications Commission.**
  - Hand-delivered or messenger-delivered paper filings for the Commission’s Secretary are accepted between 8:00 a.m. and 4:00 p.m. by the FCC’s mailing contractor at 9050 Junction Drive, Annapolis Junction, MD 20701. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
  - Commercial courier deliveries (any deliveries not by the U.S. Postal Service) must be

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<sup>16</sup> 47 CFR § 63.03(c)(1)(v).

<sup>17</sup> *Process Reform for Executive Branch Review of Certain FCC Applications and Petitions Involving Foreign Ownership*, IB Docket No. 16-155, Report and Order, 35 FCC Rcd 10927, 10936, para. 25 (2020) (*Executive Branch Review Process Order*).

<sup>18</sup> *Id.*

<sup>19</sup> Application at 14.

<sup>20</sup> See *Executive Branch Review Process Order*, 35 FCC Rcd at 10941, para. 36 n.99; see also *id.* at 10939, para. 30 n.81.

sent to 9050 Junction Drive, Annapolis Junction, MD 20701.

- Filings sent by U.S. Postal Service First-Class Mail, Priority Mail, and Priority Mail Express must be sent to 45 L Street NE, Washington, DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530.

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

- 1) Megan Danner, Competition Policy Division, Wireline Competition Bureau, [megan.danner@fcc.gov](mailto:megan.danner@fcc.gov); and
- 2) 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>21</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 Megan Danner, Competition Policy Division, Wireline Competition Bureau, at (202) 418-1151.

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<sup>21</sup> See 47 CFR § 1.45(c).