



PUBLIC NOTICE

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**DOMESTIC SECTION 214 APPLICATION GRANTED 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**

WC Docket No. 25-245

By this Public Notice, the Wireline Competition Bureau (Bureau) grants an application filed by Everstream Solutions LLC, Debtor-in-Possession (Solutions DIP), a Delaware limited liability company, Everstream GLC Holding Company LLC, Debtor-in-Possession (GLC DIP), a Delaware limited liability company, Lynx Network Group, Inc., Debtor-in-Possession (Lynx DIP), a Michigan corporation, HRS Internet, LLC, Debtor-in-Possession (HRS DIP), an Indiana limited liability company, (HRS DIP, together with Solutions DIP, GLC DIP, and Lynx DIP, Everstream DIP Licensees) and the Acquiring Party, Bluebird MidWest, LLC (Bluebird MidWest), a Delaware limited liability company (together, Applicants), pursuant to section 214(a) of the Communications Act of 1934, as amended, and section 63.04 of the Commission's rules,¹ requesting Commission approval for Bluebird MidWest to acquire certain assets and customers of the Everstream DIP Licensees.²

On September 9, 2025, the Bureau released a Public Notice seeking comment on the Application.³ The Bureau did not receive comments or petitions in opposition to the Application.

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

¹ See 47 U.S.C. § 214(a); 47 CFR § 63.04.

² 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.

³ *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, Public Notice, DA 25-826 (WCB 2025).

provide resold enterprise services in Missouri.⁴ The Everstream DIP Licensees and their affiliates (together, Everstream) commenced voluntary Chapter 11 bankruptcy proceedings, and currently are operating as debtors-in-possession subject to bankruptcy court oversight.⁵

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.⁶ 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.⁷ 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.⁸ Bluebird Network is indirectly controlled and managed by various entities that are part of the Macquarie Group Limited (MGL), a diversified multinational financial group, headquartered and organized in Australia.⁹

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).¹⁰ 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.¹¹ 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.¹² 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.¹³ 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.¹⁴ Bluebird MidWest

⁴ 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.*

⁵ *Id.* at 2; *see also* Aug. 29 Supplement at Exhs. A (updated Pre-Transaction Ownership Chart) & C (updated Pre-Transaction Ownership narrative).

⁶ Application at 2.

⁷ *Id.*

⁸ *Id.* at 3.

⁹ *Id.*; Aug. 22 Supplement at 1 (stating that Bluebird Network is ultimately controlled by MGL).

¹⁰ Application at 3. Applicants amended the Agreement on July 25, 2025 to reflect the result of the bankruptcy auction process. *Id.* at 4.

¹¹ *Id.* at 3-4.

¹² *Id.* at 4.

¹³ *Id.*

¹⁴ *Id.*

will be directly managed and controlled by its direct parent, MNA.¹⁵

Applicants assert that a grant of the Application would serve the public interest, convenience, and necessity.¹⁶ Applicants state that the proposed transaction does not present competitive concerns, and there will be no material adverse impact to Everstream's customers in the states where assets will be transferred.¹⁷ Applicants also state that Bluebird MidWest and/or the Everstream DIP Licensees will provide prior notice of the transaction to customers and Bluebird MidWest will continue to provide high-quality services to existing customers without any interruption or of service at the same rates, terms and conditions.¹⁸ Applicants maintain that the proposed transaction will "enable critical capital investments in Everstream's network assets, which had operated under financial distress prior to the bankruptcy filing."¹⁹ Applicants further assert that the proposed transaction "will allow Bluebird Network to continue to meet the connectivity needs of Everstream's customers, invest in fiber networks in Everstream's core markets, and provide Everstream's mission-critical, high-quality business fiber services."²⁰

Grant of Application

We find, upon consideration of the record, that the proposed transfer will serve the public interest, convenience, and necessity.²¹ Therefore, pursuant to section 214 of the Act, 47 U.S.C. § 214, and sections 0.91, 0.291, and 63.04 of the Commission's rules, 47 CFR §§ 0.91, 0.291, and 63.04, the Bureau hereby grants the Application discussed in this Public Notice.

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

For further information, please contact Megan Danner, Competition Policy Division, Wireline Competition Bureau, at megan.danner@fcc.gov.

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¹⁵ *Id.*

¹⁶ *Id.* at 4-8.

¹⁷ *Id.* at 7.

¹⁸ *Id.*

¹⁹ *Id.* at 5-6.

²⁰ *Id.* at 6.

²¹ See 47 U.S.C. § 214(a); *Applications of Level 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 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...").