PUBLIC NOTICE

Federal Communications Commission
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DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF ACCIPITER COMMUNICATIONS, INC. AND WYYERD CONNECT, LLC TO WILDFLOWER PARENT, L.P.

NON-STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket Nos. 26-172

Comments Due: August 12, 2026
Reply Comments Due: August 19, 2026

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on an application filed by Wyyerd Group Holdings, LLC (Wyyerd Holdings), Accipiter Communications, Inc. (Accipiter), Wyyerd Connect, LLC (Wyyerd Connect and, together with Accipiter, the Licensees), and Wildflower Parent, L.P. (Wildflower Parent) (collectively, 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 consent for the transfer of indirect control of Wyyerd Holdings, and the Licensees, to Wildflower Parent.[2]

Wyyerd Holdings, a Delaware limited liability company, through its subsidiaries, focuses on the construction, operation, and leasing of fiber networks and the provision of telecommunications services throughout Arizona and California.[3] Accipiter, a Nevada corporation, is authorized to provide services as an incumbent local exchange carrier (LEC) in Arizona.[4] Wyyerd Connect, a Delaware limited liability company, is authorized to provide competitive LEC services in Arizona.[5]

Wildflower Parent, a Delaware holding company that does not directly provide domestic telecommunications services, is primarily owned and controlled by funds and entities affiliated with Oak Hill Capital Management (Oak Hill), a private equity fund based in the United States.[6] Applicants state

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

[2] Domestic Section 214 Application for the Transfer of Control of Accipiter Communications, Inc. and Wyyerd Connect, LLC to Wildflower Parent, L.P., WC Docket No. 26-172 (filed July 10, 2026) (Application). Any action on the Application is without prejudice to Commission action on other related, pending applications.

[3] Application at 2.

[4] *Id.* Applicants note that Accipiter is designated as an eligible telecommunications carrier (ETC) in Arizona and currently receives Enhanced Alternative Connect America Cost Model (ACAM) support in Arizona in study area code (SAC) 452191. *Id.* at 9.

[5] *Id.*

[6] *Id.* Oak Hill is currently the transferor in another section 214 transaction pending at the Commission seeking to transfer the control of Future Fiber Parent, L.P., and certain subsidiaries providing telecommunications and communications services across eleven states, to Go Holdco I, LLC, an entity that upon close of that transaction, will be 50/50 controlled by Oak Hill and T-Mobile. *See* Domestic Section 214 Application for the Transfer of Control of Future Fiber Parent, L.P. and its Subsidiaries to Go Holdco I, LLC, WC Docket No. 26-141 (filed June 8,

(continued….)

that the equity in the Oak Hill funds is held through passive limited (and insulated) partnership interests held by numerous, primarily U.S.-based investors, including individuals, trusts, institutions, and business entities, and that control of these funds ultimately rests in U.S. entities or citizens.[7]

Pursuant to the terms of the proposed transaction, the parties will undertake a series of transactions that will involve a newly formed subsidiary of Wildflower Parent, Merger Sub, which will merge with and into Wyyerd Holdings, with Wyyerd Holdings surviving the merger.[8] This will result in the change of ownership and control of Wyyerd Holdings (and indirectly, Licensees) to Wildflower Parent (the Transaction). As a result of the Transaction, Wyyerd Holdings and its subsidiaries will be owned by Wildflower Parent and ultimately controlled by funds and entities associated with Oak Hill.[9]

Applicants assert that the proposed transaction is consistent with the public interest, convenience, and necessity.[10] 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 accept the Application for non-streamlined processing.[11]

<u>No Referral to Executive Branch Agencies:</u> 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."[12] 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.[13] Applicants state that the Application involves the transfer of control of carriers that hold only domestic section 214 authority and that ultimate ownership and control of Wildflower Parent rests with U.S. citizens or entities.[14] Applicants therefore assert that, consistent with the decision in the *Executive Branch Review Process Order*, the Application does not

2026). Applicants provide information on the affiliates of Wildfire Parent that provide domestic telecommunications services, along with the type of service and, if any, the SAC and any type of Universal Service Fund (USF) High Cost support that is received. *See* Application at 10-13.

[7] Application at 2-3. Applicants state that following consummation of the proposed transaction, Wildfire Parent will be wholly owned by OHCP Hunter Aggregator, L.P., a Delaware limited partnership, which, in turn will be held by the following Delaware entities: (1) OHCP Wildflower Aggregator, L.P. (OHCP Wildflower Aggregator) (61.35-66.67% equity and voting); and (2) GCI Zoom Holdings, LP (GCI Zoom Holdings) (33.33-38.65% equity and voting). *Id.*, Exh. A (Current and Post-Transaction Corporate Ownership Structure) at 3; Exh. B (Current Ownership Structure of Holdings and Licensees) at 2-3. The general partner of Wildfire Parent will be OHCP Wildfire GP, LLC, a Delaware limited liability company. *Id.*, Exh. A at 3; Exh. B at 5. Ultimate ownership in OHCP Wildfire Aggregator rests with the following three shareholders, each U.S. citizens owning equal shares: Scott A. Baker, Steven G. Puccinelli, and Tyler Wolfram. *Id.*, Exh. B at 8-10. Ultimate ownership in GCI Zoom Holdings rests with the Caryle Group, Inc., a publicly traded Delaware partnership. *Id.* Exh. A at 5; Exh. B at 9.

[8] *Id.* at 3

[9]. *Id.* Prior to closing, Applicants note that they will undertake a series of pro forma transactions that will restructure the existing ownership structure between Wyyerd Group, LLC and the Licensees, by interposing a series of wholly owned intermediate holding companies. *Id.*

[10] *Id.* at 3-6. Applicants note that the service areas of Licensees are not adjacent to and do not overlap the territories of the current domestic telecommunications carrier affiliates of Wildflower Parent. *Id.* at 13.

[11] *See* 47 CFR § 63.03(c)(1)(v).

[12] *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*).

[13] *Id*.

[14] Application at 17-18.

require a referral to the Executive Branch.[15] 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.[16]

Domestic Section 214 Application Filed for the Transfer of Control of
Accipiter Communications, Inc. and Wyyerd Connect, LLC to Wildflower Parent, L.P.,
WC Docket No. 26-172 (filed July 10, 2026).

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 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 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) Gregory Kwan, Competition Policy Division, Wireline Competition Bureau, gregory.kwan@fcc.gov; and
2) 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

[15] *Id*. at 18.

[16] *See Executive Branch Review Process Order*, 35 FCC Rcd at 10941, para. 36 n.99; *see also id*. at 10939, para 30 n.81.

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.[17] 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 Gregory Kwan, Competition Policy Division, Wireline Competition Bureau, at (202) 418-1191.

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[17] *See* 47 CFR § 1.45(c).